

CONGRESSIONAL RECORD:

97003

CONTAINING

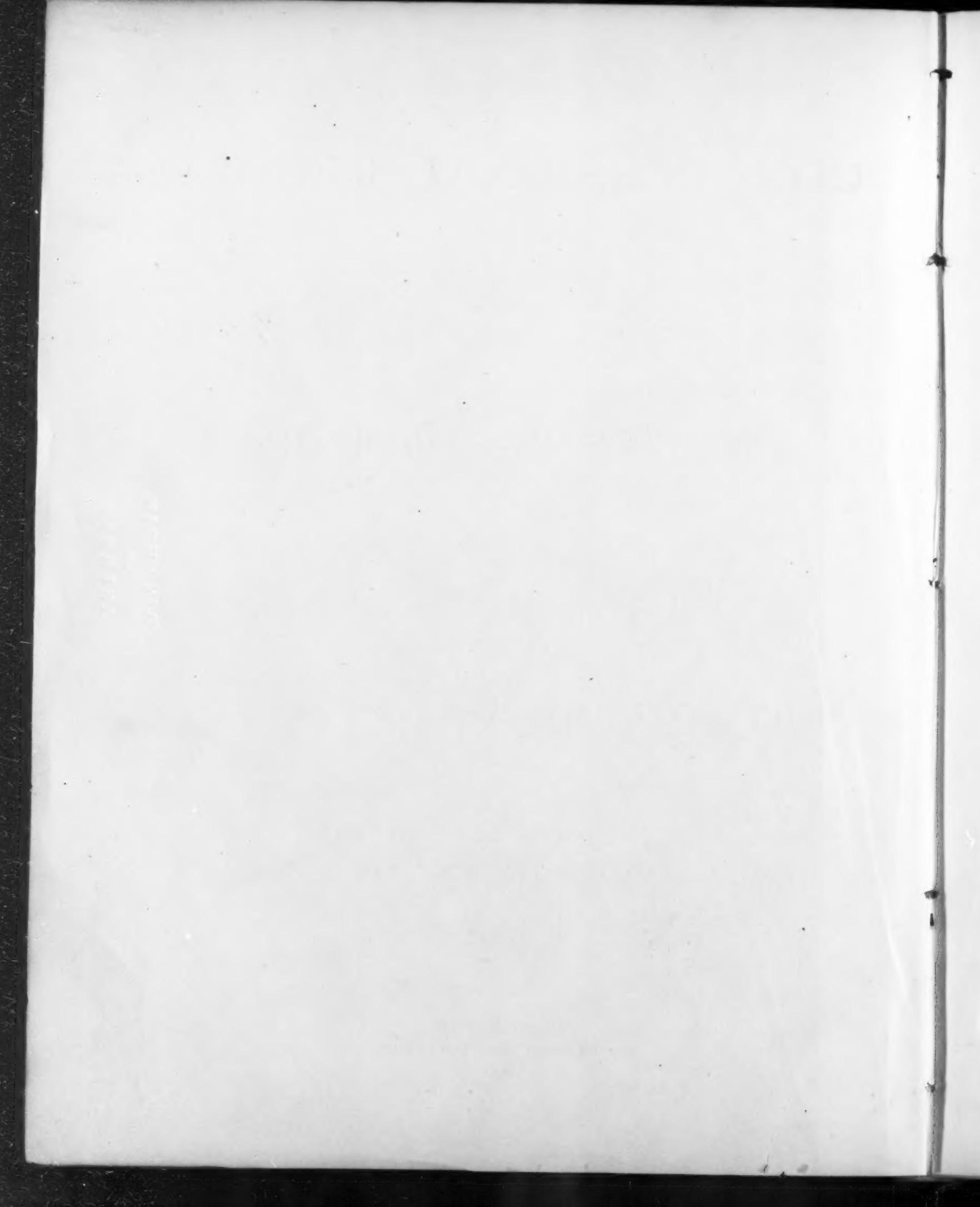
THE PROCEEDINGS AND DEBATES

OF THE

FIFTY-SIXTH CONGRESS, FIRST SESSION.

VOLUME XXXIII.

WASHINGTON:
GOVERNMENT PRINTING OFFICE.
1900.



VOLUME XXXIII, PART VIII.

CONGRESSIONAL RECORD,
FIFTY-SIXTH CONGRESS, FIRST SESSION.

12/1991 11:00:00 AM
12/1991 11:00:00 AM

gave us their aid, their comfort, and out of that struggle, which all remember so well by reading, came this first and greatest Republic in the history of the world.

We have progressed beyond the conception of the keenest intellect of those who laid the foundation of our Government. Sir, it was as a result of our pursuing the policy that was pointed out by the fathers. We were warned by Washington, and from Washington down even to the present Executive in his inaugural address on the 4th of March, 1897, to remain free from entangling foreign alliances, and to pursue a domestic policy which would result in our strength and our growth and protect us from the dangers of European complication. Even Alexander Hamilton, monarchist as he was, for he believed in a republic and he spoke of this country as a monarchical republic, declared that the only safe policy for our country to pursue was to remain free from entangling foreign alliances, and he declared that our situation, 3,000 miles from Europe, rendered us practically impregnable against foreign attack, if we remained at home and cultivated the arts of peace and commerce and agriculture.

So by pursuing that policy for over a century we have grown to be the powerful nation that we are. Yet, sir, within twenty-four months we have embarked upon a scheme of forcible annexation of weak people without the slightest constitutional or other power; and to-day we hear the startling doctrine advocated in the Senate of the United States that we have the power to send our flag where our Constitution does not go; that the flag can go to the Philippines; that we can exercise unlimited sovereign power over those people, and yet the Constitution in none of its provisions is there to protect them in their rights, privileges, and immunities. Was there ever a more monstrous doctrine advocated in a public body than that?

The decisions of the Supreme Court are sneered at and ignored. For over a hundred years the Supreme Court of the United States has declared, without a dissenting voice, that the Constitution extends to every foot of territory over which we exercise our jurisdiction. The question has passed in review before over 40 eminent gentlemen who have occupied positions on our Supreme Bench, and not one has dissented. Yet because it is desired to keep these islands, because it is desired to send our Army there and rob those people of their property and their rights—because that is what it means—we find a way of sneering at and ignoring the decisions of the Supreme Court construing and expounding the Constitution.

Even the declarations of Mr. Lincoln are passed over in silence. Mr. Lincoln declared in one of his speeches in his great debate with Douglas the identical doctrine we are advocating here, and yet that teaching of Mr. Lincoln is ignored. I wish to read from a speech of Mr. Lincoln delivered at Chicago July 10, 1858, when he was discussing the question of slavery in this country.

We are now—

Said Mr. Lincoln—

a mighty nation; we are thirty, or about thirty, millions of people, and we own and inhabit about one-fifteenth part of the dry land of the whole earth. We run our memory back over the pages of history for about eighty-two years and we discover that we were then a very small people in point of numbers, vastly inferior to what we are now, with a vastly less extent of country, with vastly less of everything we deem desirable among men; we look upon the change as exceedingly advantageous to us and to our posterity, and we fix upon something that happened away back as in some way or other being connected with this rise of prosperity.

We find a race of men living in that day whom we claim as our fathers and grandfathers. They were iron men; they fought for the principles that they were contending for, and we understood that by what they then did it has followed that the degree of prosperity which we now enjoy has come to us. We hold this annual celebration to remind ourselves of all the good done in this process of time, of how it was done, and who did it, and how we are historically connected with it; and we go from these meetings in better humor with ourselves; we feel more attached the one to the other, and more firmly bound to the country we inhabit. In every way we are better men in the age and race and country in which we live, for these celebrations.

But after we have done all this, we have not yet reached the whole. There is something else connected with it. We have, besides these men descended by blood from our ancestors, among us, perhaps half our people, who are not descendants at all of these men. They are men who have come from Europe—German, Irish, French, and Scandinavian—men that have come hither and settled here, finding themselves our equals in all things.

If they look back through this history to trace their connection with those days by blood, they find they have none, they can not carry themselves back into that glorious epoch and make themselves feel that they are part of us; but when they look through that old Declaration of Independence they find that those old men say that "we hold these truths to be self-evident that all men are created equal;" and then they feel that that moral sentiment, taught in that day, evidences their relation to those men, that it is the father of all moral principle in them, and that they have a right to claim it as though they were blood of the blood and flesh of the flesh of the men who wrote the Declaration. [Loud and long-continued applause.] And so they are. That is the electric cord in that Declaration that links the hearts of patriotic and liberty-loving men together—that will link those patriotic hearts as long as the love of freedom exists in the minds of men throughout the world. [Applause.]

Now, I ask you—

Said Mr. Lincoln—

in all soberness, if all these things, if indulged in, if ratified, if confirmed and indorsed, if taught to our children, and repeated to them, do not tend to rub out the sentiment of liberty in the country, and to transform this Government into a government of some other form?

He was there speaking of the institution of slavery upon this continent.

Those arguments that are made, that the inferior race are to be treated with as much allowance as they are capable of enjoying; that as much is to be done for them as their condition will allow—what are these arguments? They are the arguments that kings have made for enslaving the people in all ages of the world.

I ask the gentlemen upon the other side of the Chamber if you are not making to-day the argument that Mr. Lincoln denounced in 1858, and if you are not repeating the argument made by Great Britain when she sought to conquer our colonies, and the argument she is making to-day in her unholy and unrighteous war against the South African republics?

You will find that all the arguments in favor of kingship were of this class; they always bestrode the necks of the people, not that they wanted to do it, but because the people were better off for being ridden.

And you to-day proclaim, and boldly proclaim, in this Chamber, the Senate of the United States, that we are riding the necks of the Filipinos for their own good.

That is their argument, and this argument of the Judge—

Speaking of Judge Douglas, at that time a Senator of the United States from the State of Illinois—

is the same old serpent that says, "You work, and I eat; you toil, and I will enjoy the fruits of it." Turn it in whatever way you will, whether it come from the mouth of a king as an excuse for enslaving the people of his country, or from the mouth of men of one race as a reason for enslaving the men of another race, it is all the same old serpent.

I say to you that when you use that argument, that has been used in this Chamber during this session of Congress when reference has been made to the Filipinos, it is the same old serpent against which Mr. Lincoln, in 1858, directed this severe language:

And I hold—

Says Mr. Lincoln—

if that course of argumentation, which is made for the purpose of convincing the public mind that we should not care about this, should be granted, it does not stop with the negro. I should like to know if, taking this old Declaration of Independence—

And Mr. Lincoln had some respect for that document—

which declares that all men are equal upon principle, and making exceptions to it, where will it stop? If one man says it does not mean a negro, why not another say it does not mean some other man? If that Declaration is not the truth, let us get the statute book in which we find it and tear it out. Who is so bold as to do it? If it is not true, let us tear it out. [Cries of "No!" "No!"] Let us stick to it, then; let us stand firmly by it, then.

Mr. President, that language was prophetic. Among the things that will always make Mr. Lincoln famous will be the prophecies he made from time to time, and the other thing that will make him famous for all time, Mr. President, was that he was the instrument in God's hands of striking the shackles from four million and a half of bondsmen in his own country. And yet the party which he founded about forty years ago has become the open advocate in all its branches and throughout its length and breadth of monarchical power and denies the right of liberty to other people.

My friends do not meet us squarely upon this issue. Whenever we say that according to the Declaration of Independence, according to the principles of eternal justice, these people are entitled to their liberty, they say, "What a wonderful thing it is to hold these islands; we can make so much money out of them." You are willing to sacrifice the rights of men, women, and children for all time that some greedy and swaggering individual or organization in this country may increase his or their fortunes; and you put the Government of the United States upon that low moral plane in dealing with those people.

And, Mr. President, the contagion on that side does not stop here. We have heard very strong language used by our Republican friends within the last few days. My good friend from Wisconsin [Mr. SPOONER] spoke of prevaricators; I think he made use of a stronger term than that; the RECORD will show it; I will not repeat it; and then when I dared to call his attention to the fact that General Otis did not truthfully report what took place when General Torres rode out to explain the attack at Manila, when I said that an officer stood there and heard that interview, the Senator said, "Well, he ought to come out and boldly declare what he heard or shut up."

Mr. President, that is what our Republican friends want us to do. They want us to shut up. It is a rather harsh expression to use; it is not altogether euphonious; it is not a soft expression. Because we do not believe in imperialism, because we do not believe in forcible colonization, because we do not believe in robbing free people of their rights and of the God-given right of liberty and freedom, we should shut up in the Senate and all over the country, I suppose.

To-day, Mr. President, for the delectation of the galleries and the country, we were treated to such expressions as traitors, dogs, and fleas, and I do not know but that it went to the extent of liars, growing out of the bitterness that has grown up here in the discussion of this question. Has it come to such a pass that gentlemen can not honestly disagree upon these measures and be accorded the ordinary courtesies that are due from one gentleman

to another, or from one body or organization of gentlemen to another?

Mr. President, you can not win political battles that way. When the American people understand, as they will understand, that if you strike down the cause of liberty in the Philippine Islands you can strike down the cause of liberty on this continent, and that one step logically and inevitably leads to the other, you will find a protest going up from the Atlantic to the Pacific that will not shut up, that will make itself heard at the polls in the most emphatic language.

It seems to me, Mr. President, if we could only reach the high plane of friendly discussion, if we could cease for the time being to recognize our partisan allegiance, if we could say we will not be Democrats or Populists or Republicans, but we will be Americans and patriots and look this problem in the face in the light of our history and in the light of our Constitution and our traditions as a people, there ought to be no difficulty in solving it wisely and well.

I am not blaming the President of the United States. I draw, Mr. President, a line of demarcation between the distinguished citizen who occupies that office and a President of the United States as an officer. Against the honorable William McKinley, the distinguished citizen of my nation, I have not one word to say. Against the Administration of the Republican party I have criticisms to offer. I do not want to make sport or game or jest of a great question. I do not want to argue that imperialism is not an issue here when I know it is an issue.

I do not want to be waved aside by a sweep of the majestic hand of my friend upon the other side and a stentorian declaration that there is nothing here to consider, when we know that there is but one of two courses for this nation to pursue. Are we to be buccaneers and highwaymen upon the ocean, engaged in the spoliation and destruction of weaker peoples, or are we to be a conservative and just republic, the guardian of liberty, the protector of the freedom of the people not only of our own Government but of those who fall, in the providence of God, under our protection?

No man can serve two masters. If we undertake to serve imperialism we will become false to the Republic; we will forget our duties to the great Republic; we will forget our duty to the generation of men and women that are to come; we will forget our duty to our wives and children. If, Mr. President, we are to join Great Britain and other nations in the piracy of the islands of the sea, then we are no longer the advocate of the liberty of the people and no longer the champion of popular government.

It has been hinted in the press, and in this Chamber and elsewhere, that our country has come to that pitiable condition that she is to-day the secret ally of the British Empire. I know it has been denied. I presume it will be denied on the other side of the Chamber now in the light of all the evidence that comes to establish that conclusion. Mr. President, circumstantial evidence, we are taught to believe by the law books, is many times stronger than ocular evidence, and if any conclusion can be deduced from the circumstances that have come to light in this country within the last three or four years we are warranted in declaring in the most solemn terms, as I declare here, that there is an alliance between official America and official Great Britain.

I know this will be denied. I expect it to be denied. I do not expect the Republican party to rest quietly under that charge; but if the people will turn back to four years ago they will discover that we have had a treaty of peace with Great Britain by which we were not to go to war for a number of years. At that time Great Britain had this country bound to an incipient treaty which was defeated in this Chamber, and which is a matter of public history now, by only one or two votes, to hold its hands off of Great Britain and silence Europe in any war in which Great Britain might be engaged.

Can any man under those circumstances deny that official British influences were too powerful in this Republic? That is the nation which sought to destroy us; to destroy our ancestors when we were a weak people; who sought in 1812 and 1814 again to destroy us; who destroyed this capital city and our public buildings; the nation that danced with glee when it was known a declaration of war was made between the North and the South; the nation, Mr. President, that gave its sympathy to the cause that would destroy the Union; yet in less than one hundred and twenty-five years from the time we were struggling to rescue our country from the grasp of Great Britain we have become her abject slave and ally, and the Republican party is responsible for it.

Who has more access and more influence in this city than the British ambassador? I called attention the other day to a fact that can not be disputed, that at the very moment the envoys from South Africa were in the office of the Secretary of State, seeing whether they were to be officially recognized or not, the British ambassador was there, too.

It may have been a coincidence, but it is an unfortunate one, if it was. They had no sooner left the presence of that distinguished and august personage until his lordship was ushered into the main

office of the Secretary of State, and the whole thing I suppose was thoroughly canvassed. What did those envoys come here for? They came to appeal to us, to us the first and greatest champion of the cause of freedom, to give them our aid and comfort in their struggle against Great Britain.

They were met by officers, they were wined and dined, they were treated and cared for, but they were told—told, of course, in pleasant language—that this great Republic must hold up its arms and say nothing while the struggle went on between Great Britain and this weak people in South Africa. It was a cowardly thing to do. It was an unwarranted thing to do. The American people believe in freedom, and they do not want to have any Administration that is too cowardly to oppose the cause of freedom.

It seems that we can not send a man over to the Court of St. James who does not become British in a short time, and after he has become thoroughly galvanized and gets on the regulation suit that is worn in that country we bring him over here and we put him into high official position. I wo'd rather have some good man in the office who never had seen Great Britain.

Mr. President, it will be contended upon the other side of the Chamber that we are powerless to do anything. But how wicked it is to offer an excuse for not doing your duty. If this Administration had said firmly, as Mr. Cleveland said in the Venezuelan affair, "You must not carry this crusade against those people without submitting the question to arbitration," and if it had invoked the power that is found in the treaty of The Hague, Great Britain would have halted and the Republics of South Africa would have been free and independent to-day.

But we did not do it. Of course we had a boy sent over to Pretoria, and he wired over to Great Britain some kind of a message that we would like to settle the difficulty if they would let us, but it was understood at the time that it was a mere sham and a delusion and intended to quiet the people.

Mr. President, the practical line of demarcation between official America and official Great Britain has been wiped out. I commend to my friends upon the other side of the Chamber that they hold open the Vice-Presidential question until the last hour at their national convention. Possibly they can induce Lord Pauncefote or Lord Roberts or some other hero in the crusade against the South African Republics to accept that nomination. It would make the ticket stronger in their party if they had a nomination of that kind.

Much has been said about General Lawton. The Senator from Wisconsin on two occasions has taken from his desk what purports to be a letter from General Lawton and has read it for the edification of Senators and the occupants of the galleries. Speak the name of Lawton and the Senator plunges into his desk clear up to his elbows to pull out that letter. Yet he admits that he has not the original letter; that he does not know anything about it; that this is simply a clipping from some newspaper.

Now, Mr. President, I propose to invoke the testimony of Lawton as to the Filipinos. I propose to show an original letter—not a copy, but by an original letter—from Lawton in which he declares that those people will surely become more capable of self-government than many people in this country. I have the letter here. Senators can see it if they desire to do it. It is a personal letter to Colonel Day, of Colorado. I will not read it all because it is a letter written by one friend to another, and contains some things in which the public are not interested. It is written from headquarters First Division of the Eighth Army Corps, Manila, Philippine Islands, July 8, 1899.

MY DEAR COLONEL—

It is addressed to Col. David Day, of Durango, Colo.—

Your very good letter of May 15 has just reached me. You know I always enjoy your letters. You have the faculty of writing not only a most interesting letter, notwithstanding you possess the faculty of scoring your friends when they deserve it in a manner and way that makes them wish they had never opened a discussion with you, but you also possess the faculty of saying pleasant things when you desire to make a man feel exceedingly comfortable and concealed.

Now I pass to this: Speaking of the Philippine Islands, General Lawton says in this letter:

This is a beautiful country. The possibilities are unlimited. The people are not bad and are not the ignorant, vile savages they are sometimes pictured to be—

Oh, I remember, Mr. President, the glowing passages of the denunciation in the remarkable speech of the junior Senator from Indiana [Mr. BEVERIDGE]—

I believe peace will soon be assured and that before many years have passed the Filipinos will be better Americans than some who are born in the United States.

Then, skipping much of it—

Thanking you sincerely and heartily for your good letter and kind wishes, believe me,

Sincerely and truly yours,

H. W. LAWTON,
Major-General, United States Volunteers.

I pass that to my friend from Wisconsin [Mr. SPOONER], and he can inspect it to see that it is genuine.

He described the country as a most beautiful country, the people as a good people, not ignorant, as they have been painted.

He predicted that those people would in a short time become more capable of self-government and make better citizens than many men who were born under our flag on this continent. He was not, therefore, the enemy of those people, and if any deduction can be made from this letter it is that General Lawton was favorably impressed with those people. He was favorably impressed with the country. He looked forward to the time speedily to come when they would be free and when the war would be at an end.

Yet, Mr. President, the name of Lawton, sacred as it is and ought to be, like the ghost of Banquo, is brought out by our Republican friends in this Chamber whenever they think they can frighten somebody. I protest against the use of his name as a sacrilege in high place. Denunciation after denunciation is heaped upon those people.

Filipinos are held up by you gentlemen upon the other side of the Chamber as a heinous class of people, and every time the news is flashed across the ocean that some Filipinos have fallen in a skirmish in those islands it is hailed with acclaim and rejoicing by you.

What have the Filipinos done? What crime have they committed? Have they been guilty of murder, or arson, or treason? No; none of these. They have dared to follow our example, turning their eyes to God and invoking His assistance and ours in the establishment of a republic upon their islands.

That is their sole crime, and because they aspire to the freedom that we enjoy and that our ancestors transmitted to us and which we seek to transmit to our posterity, you speak of them as traitors and barbarians, and you denounce the men who advocate the cause of freedom on this floor.

I must pass along. There are many things I should like to say on this branch of this very important subject, but I shall not.

What have you done recently, passing to another subject, for the relief of this country? The honorable Senator from Connecticut [Mr. PLATT] only a few days ago delivered a very able address in this Chamber in defense of the Administration, and if I quote him incorrectly, I feel certain he will turn to his remarks to see how far I am from stating the truth.

He declared, as I understood, that after three years and three months of this Administration the only instance in which the Republican party had been caught stealing was in Cuba—Rathbone, Neely, et al. That honorable Senator did not say that there had been no other peculations and irregularities, but that that was the only instance in which they had been caught in the act.

Mr. PLATT of Connecticut. Mr. President, the Senator does not mean to say that I said that.

Mr. ALLEN. I intended that the Senator should correct me if I did not quote him correctly. I should like to have him turn to his remarks and see what he said.

Mr. PLATT of Connecticut. Oh, the Senator knew better than that.

Mr. ALLEN. That is as I understood it, Mr. President, and I dare say he was so understood by almost every Senator on this side of the Chamber. It was all right if you could secrete it. There was nothing wrong in peculation and robbery per se. The wrong was in getting caught; and that was the only instance of detection in three years and three months.

Of course, irregularities may occur under any Administration. I am not saying that it is peculiar to Republican Administrations, although I may say that I think Republican Administrations are predisposed that way. [Laughter.] They may occur under any Administration; but where is the advocate of an Administration that will stand in the Senate of the United States and apologize for robberies and irregularities such as have taken place in Cuba? Of course, good men may go wrong after they are appointed to office; but Mr. Rathbone had had experience before that, it would seem. He was not a novice in irregularities; and those who are responsible for his appointment and for the appointment of Neely and others engaged in these irregularities ought not to undertake to shift the responsibility and say, "Nobody in the Republican party is responsible for their conduct." Every Administration is responsible for what happens during that Administration, especially where it has appointed the persons to the offices they occupy.

There are irregularities at the Paris Exposition. Turn your eyes to the North, to the South, to the East, or to the West, and you find peculation and robbery going on unrestrained. Just within a few days we on this side of the Chamber had to assist you in passing a bill for the extradition of these people from Cuba. Perhaps we have a treaty with France whereby we can get the guilty men in Paris.

Look at your attitude respecting Porto Rico. The Porto Ricans came to this country with open arms; there was no war in the island of Porto Rico. When General Miles invaded the country with his armies, they came to him by the thousand and welcomed our armies there. He did not fire a gun. He took that island under the treaty of Paris. It became as much a part and parcel of the territory of this country as the State of Indiana or the State of Kentucky; and to it went every general statute of the United States and every Constitutional guaranty.

The President said so; the leader of your party said it was our "plain duty" to extend there the laws and the Constitution of this country and to treat those people as incipient citizens of the United States. I shall not undertake to use his exact language. The Secretary of War declared the same thing in substance, excepting only in different language; and yet your friends the trusts, that form your campaign fund for you, began to tell you differently, and you backed out of that position; you denied that the Constitution extended to the Porto Ricans and the island of Porto Rico.

We levied a tax which I believe the intelligent portion of our people recognize as unconstitutional. I was going to say I think every lawyer upon the other side of the Chamber recognizes that it was unconstitutional. Mr. President, it was only a party makeshift. The Constitution, with all its sacred provisions and all its sacred history and all its solemn interest for the people of this country, was set aside and ignored that you might pay a debt, past and prospective, to the trusts and industrial combinations of this country; and well you paid it by the discriminating duty of 15 per cent.

Take, for instance, your attitude here to-day respecting the bill which it is said would control the trusts of this country, and the absolute insincerity of the Republican party is manifest. In another place that bill was introduced by Republicans; it was amended and put in form by a Republican committee; it was passed in a Republican House of Representatives after debate and after great care.

It came here into this Chamber yesterday, and less than two hours ago you voted to bury it and to prevent it becoming a law. You could have put it upon its passage and have had it before the President for his signature before this hour, and yet you refused to do it. Do you hope to make any person believe that that bill needs the revision and the careful investigation of a committee? Is not this Senate as capable of putting that bill into shape, if anything is wrong with it, as a committee of eight or ten men? No; that was not what you wanted.

Your friends, the corporations and the trusts, must escape from the consequences of that bill; and, answering their demand, you voted to send it to a committee, where it will, like a great many other measures, never see the light of day again.

Mr. President, I hold in my hand a list of trusts in the United States.

Mr. SPOONER. Is the ice trust amongst them?

Mr. ALLEN. No; I think the ice trust is interested on the other side of this Chamber more than it is on this, if I recollect rightly.

I will ask permission to insert this list of trusts and their capitalization as a part of my remarks, and I want to call attention to the remarkable fact that more trusts have been formed since the 4th of March, 1897, up to this date, two to one, than in all the history of this country from its organization. Here is a list of trusts formed between the middle of March, 1897, and the 27th day of May of this year. There are some forty or fifty of them. I shall not stop to read them, but ask that they be inserted as a part of my remarks, without being read.

The PRESIDING OFFICER (Mr. GALLINGER in the chair). Without objection, that order will be made.

Mr. WOLCOTT. What is the order?

The PRESIDING OFFICER. To print as a part of the Senator's remarks the paper referred to by him.

Mr. WOLCOTT. I think unanimous consent could be had to print them all, Mr. President. [Laughter.]

Mr. ALLEN. What did the Senator from Colorado say?

Mr. WOLCOTT. I understood the Senator's request to be that a portion of his remarks may be printed.

Mr. ALLEN. No, sir; you did not understand anything of the kind.

Mr. WOLCOTT. Then the statement made by the Chair was not correct.

Mr. ALLEN. I realize, of course, the importance of the Senator and of his remarks, and his desire to belittle my remarks.

Mr. WOLCOTT. No, Mr. President; I have no desire other than to further the wishes of the Senator.

Mr. ALLEN. I have asked that this list of trusts be inserted as a part of my remarks.

Mr. WOLCOTT. I so understood.

Mr. ALLEN. There is nothing unusual about the request.

Mr. WOLCOTT. That was not the statement made by the Chair, as I understood it. I see no objection to the Senator's request, but I understood the Chair to state that the request of the Senator was that a part of his remarks be printed in the RECORD.

Mr. ALLEN. I am not responsible for the Chair. [Laughter.]

Mr. WOLCOTT. And I have no doubt the Chair is delighted that he is not responsible for the Senator. [Laughter.]

Mr. ALLEN. I have no doubt of that, sir; and I am certainly delighted that I am not responsible for the Senator from Colorado. [Laughter.]

The list of trusts referred to is as follows.

TRUSTS AND COMBINES IN THE UNITED STATES.

[List prepared for The Commercial Yearbook, by Byron W. Holt.]
Attention is particularly requested to the following definition:
As popularly used, the word "Trust" is now applied to any consolidation,

combine, pool, or agreement of two or more naturally competing concerns which establishes a partial or complete monopoly, in certain territory, with power to fix prices or rates in any industry. Viewed from the standpoint of the consumer, the informal agreement and the iron-clad combine look alike if the one has the same effect as the other upon prices.

Present name of trust. ^a	Where incorporated.	Location principal office.	Capitalization. ^b	
			Common stock.	Preferred stock.
Adams Express Company	New York	New York City	\$12,000,000	
American Automatic Weighing Machine Company (three companies—all in U.S.)	England	New York (?)	\$135,000	£135,000
American Axe and Tool Company (16 plants)	Kentucky	New York City	\$3,872,500	
American Beet Sugar Company			15,000,000	\$1,000,000
American Bell Telephone Company (owns American Telephone and other telephone companies)	Massachusetts	Boston	25,886,300	
American Birch Company (to control New York market)	New Jersey		4,000,000	6,000,000
American Brass Company	Connecticut	Waterbury	20,000,000	
American Bridge Builders' Association (trust forming 13 firms)	Pennsylvania	Philadelphia	30,000,000	
American Caramel Company (all export trade of United States)	do	do	1,000,000	500,000
American Car and Foundry Company (railroad cars)	New Jersey	Chicago	27,600,000	
American Cereal Company (much larger company forming)	Ohio	New York City	3,400,000	
American Cotton Oil Company (123 properties)	New Jersey	Boston	20,237,100	10,188,600
American District Telegraph Company ^c	New York	do	3,844,700	
American Electric Heating Corporation	New York	Chicago	10,000,000	
American Express Company (not incorporated) ^d	New Jersey	New York City	18,000,000	
American Felt Company (nearly all companies in United States)	New Jersey	Boston	2,500,000	
American Fisheries Company (menhaden oil, 15-18 companies)	do	do	8,000,000	2,000,000
American (Window) Glass Company (majority in United States)	do	Pittsburgh	20,000,000	
American Glucose Sugar Refining Company (opposition company)	do	do	3,000,000	
American Glue Company	Boston	Boston	1,400,000	700,000
American Hay Company	Michigan		\$5,000,000	
American Ice Company (forming; to control ice output of Maine)	Maine		60,000,000	
American Indies Company (gas, electric, etc., new colonies)	New Jersey		13,000,000	5,000,000
American Jute Bagging Manufacturing Company	West Virginia		2,800,000	
American Lamp Chimney Company (one-third total United States)	Ohio	West Virginia	500,000	250,000
American Last Company	New Jersey	Chicago	2,000,000	1,500,000
American Linseed Oil Company (82 plants; 85 per cent of all in country)	do	New York	14,250,000	14,250,000
American Lithograph Company	Ohio	Cleveland	8,000,000	3,500,000
American Machine Company (sewing)	New Jersey	New York City	10,000,000	
American Malting Company (30 companies; nearly all in United States)	New Jersey	Washington	13,750,000	12,540,000
American Ordnance Company (guns, projectiles, etc.)	New Jersey		2,500,000	
American Pegamoid Company	New Jersey		5,000,000	
American Pipe and Foundry Company (5 plants in South; bigger trust forming)	New Jersey	New York City	10,000,000	
American Potteries Company (forming; nearly all in United States)	Chicago		17,000,000	16,000,000
American Powder Company	West Virginia	do	1,500,000	
American Preservers' Company	New Jersey	do	2,500,000	
American Radiator Company (4 companies; 75 per cent United States product)	do	do	5,000,000	3,000,000
American Saddle Company (bicycle saddle consolidation)	Rhode Island	Providence	1,000,000	800,000
American Screw Company	New Jersey (?)	Pittsburg (?)	3,250,000	
American Sewer Pipe Company (forming, with 51 big companies)	Connecticut	New London	12,500,000	12,500,000
American Silk Manufacturing Company (silk thread)	Indiana (?)	do	7,500,000	5,000,000
American Skewer Company (all manufacturers in United States)	New Jersey	New York	300,000	
American Soda Fountain Company	New Jersey	do	1,250,000	
American Spirits Manufacturing Company (whisky; 18 distilleries)	New York	Chicago	28,000,000	2,500,000
American Steel and Wire Company of New Jersey (controls wire industry, etc., in United States)	New Jersey	do	50,000,000	7,000,000
American Steel Casting Company	do	Chicago	40,000,000	40,000,000
American Stove Board Company (7 manufacturers)	West Virginia	New York	4,200,000	
American Strawboard Company (19 plants)	Illinois	Chicago	81,100	
American Sugar Refining Company	New Jersey	New York City	6,000,000	
American Telegraph and Telephone Company (controls long-distance lines)	New York	do	33,968,000	33,968,000
American Thread Company (13 cotton-thread companies)	New Jersey	New York	25,000,000	
American Tin Plate Company (281 mills—95 per cent of all)	do	do	6,000,000	
American Tobacco Company (plus business sold in 1898)	do	Chicago	23,000,000	18,000,000
American Type Founders' Company (23 companies in United States)	do	New York City	21,000,000	14,000,000
American Whip Company (20 manufacturers)	Massachusetts	do	4,000,000	
American Woodworking Machinery Company (14 firms)	New Jersey	do	250,000	
American Woolen Company (men's woolens—mills in New England; forming)	Rhode Island	New York City	2,000,000	2,000,000
American Wringer Company	Montana	Rhode Island	30,000,000	20,000,000
Ammunition Manufacturers' Association (cartridges)	Arkansas	New York City	850,000	1,050,000
Anaconda Copper Mining Company	New York	New York City	4,000,000	
Associate Wine Dealers (agreement with California Winemakers' Corporation)	Montana	San Francisco	30,000,000	
Association of Boat Oar Manufacturers of United States; (agreement on prices)	Arkansas	Little Rock (?)	5,000,000	
Association of Fire Underwriters for Arkansas (44 companies) ^e	New York	New York City	29,694,226	
Atlantic Dynamite Company (giant powder, etc.)	New Jersey	Nashville	2,500,000	
Atlantic Passenger Steamship Pool (renewed in 1899)	Massachusetts	Boston	100,000,000	8,000,000
Atlantic Snuff Company (all but 2 companies)	New Jersey	New Jersey	2,000,000	
Atlas Tack Company	do	do	700,000	
Atwood-Morrison Company (consolidation of 3 silk and cotton machinery companies)	do	do	300,000	
Baltimore Electric Light Company (8 electric companies of Baltimore)	Delaware	New York City	5,000,000	
Barber Asphalt Paving Company (pools with other companies) ^f	Illinois	Cleveland	5,000,000	
Bay State Gas Company (several gas companies in and near Boston)	Illinois	Chicago	100,000,000	
Bessemer Ore Association	do	do	20,000,000	
Bolt and nut (several associations—carriage, stove, tire, etc.)	Illinois	Chicago	10,000,000	
Booth, A., & Co. (fish and oysters; 43 concerns)	Illinois	Boston (?)	3,000,000	2,500,000
Borax Consolidated, Limited (absorbing Pacific Borax, etc., Company)	Illinois	San Francisco	10,000,000	£800,000
Boston Fruit Company (4 companies, controlling output from West Indies)	Illinois	Jersey City	1,000,000	
Boxmakers' Combine (of California-Oregon)	Illinois	New York	6,000,000	
Brass Foundry and Machine Company (iron and brass castings)	Illinois	Brooklyn	45,000,000	
Brooklyn Rapid Transit (most streets, ways, elevated and Brooklyn)	Illinois	do	15,000,000	
Brooklyn Union Gas (7 companies)	Illinois	Chicago	5,000,000	\$7,500,000
Brooklyn Wharf and Warehouse Company ^g	Illinois	do	5,000,000	
Broom Manufacturers' Association of United States (regulates prices)	Illinois	do	5,000,000	
Broom Twine (selling combine)	Illinois	Chicago	5,000,000	
Brunswick-Balke-Collender Company (billiard tables, etc.)	Ohio	New York City	5,000,000	
Buffalo City Gas Company (4 companies; consolidated with People's Gas in 1898) ^h	Ohio	Buffalo	5,000,000	
Buffalo Traction Company (consolidation pending)	do	do	5,370,500	
California Raisin Growers' Association (2,000 growers and 60 packing houses; controls 95 per cent of crop)	California	do	5,000,000	
California Winemakers' Corporation (allied with California Wine Association) ⁱ	Pennsylvania	San Francisco	10,000,000	
Cambria Steel Company (owns Cambria Iron Company; plants in five counties in Pennsylvania)	Pennsylvania	Philadelphia	16,000,000	
Cedar Shingles Manufacturers' Association (Washington State; limits production)	do	do	5,000,000	
Celloidin Company	New Jersey	Newark	3,000,000	
Central Coal and Coke Company (selling agency) ^j	Ohio	Columbus	500,000	
Central Coal and Coke Company of Kansas City, Mo. ^k	Missouri	Kansas City	1,500,000	1,500,000
Central Electric Railway of Kansas City, Mo. (all companies)	do	do	500,000	

Present name of trust. ²	Where incorporated.	Location principal office.	Capitalization. ³	
			Common stock.	Preferred stock.
Central Lumber Company of California ⁴ .			\$70,000,000	
Central New York Brewing Company	New Jersey		2,200,000	\$1,800,000
Central Union Telephone Company (consolidation of Bell Telephone in Indiana, Illinois, and Ohio, except certain cities).			6,605,300	
Central Union Gas Company (17 gas and electric lighting companies in Ohio and Indiana).				
Central Walnut Association (California; fixes prices).			\$2,000,000	
Chain Manufacturers' Association (trace, wagon, etc.).			\$3,000,000	
Charleston (South Carolina) Consolidated Railway, Gas and Electric Company (forming with all in city).			1,500,000	
Chemical (Pharmaceutical Manufacturers') Combine.			\$50,000,000	
Chicago and Northwestern Granaries Company (agreements with other companies).	Philadelphia		\$120,000	\$120,000
Chicago City Railway Company (cable, electric, and horse lines).	Chicago			
Chicago Consolidated Traction Company (8 suburban companies).	do		\$14,000,000	
Chicago Edison Company (absorbed 4 companies).	do		14,400,000	
Chicago Junction Railway and Union Stock Yards Company (meat packing and cattle; consolidation 3 companies).	Chicago		4,975,900	
Chicago Milk Company (forming to supply three-fourths of city's milk).	do		6,500,000	\$6,500,000
Chicago Packing and Provision Company (Limited).	do		3,000,000	3,000,000
Cincinnati Gas-Light and Coke.	do		£200,000	£200,000
City of Chicago Brewing and Malting Company (English and American companies).	Chicago		\$9,000,000	
Cleveland and Sandusky Brewing Company (11 breweries).	do		£625,000	£625,000
Colorado Fuel and Iron (connected with Colorado Coal and Iron Company).	Colorado		\$3,000,000	\$3,000,000
Columbia Electric Car Lighting and Brake Company.	Denver		11,000,000	2,000,000
Columbia River Canneries Company (fish packers; re-forming, 1899).	New Jersey		10,000,000	
Columbia Spring Company.	Portland		\$2,000,000	
Columbus (Ohio) Gas-Light and Heating Company (will own 2 big companies).	Cleveland		2,000,000	
Commercial Chemical Company, United States (paris-green manufacturers form selling agency).	Columbus		1,700,000	3,300,000
Commonwealth Electric Company (12 companies; pools with Edison).	New York City		\$2,000,000	
Consolidated City Water Company (3 companies, Los Angeles, Cal.).	Chicago		3,000,000	
Consolidated Gas of Baltimore City ⁴ .	Los Angeles		2,480,000	
Consolidated Gas Company of Newark, N.J. (all gas companies between Passaic and Elizabeth).	Baltimore		10,770,968	
Consolidated Gas of New York City (all but New Amsterdam Company) ⁴ .	Newark		6,000,000	
Consolidated Gas of Pittsburgh (5 companies in west Pennsylvania).	New York City		9,078,000	
Consolidated Ice (10 or 12 companies in New York and Maine) ⁴ .	Pittsburg		4,000,000	2,500,000
Consolidated Packing Companies (Beef).	New York City		6,500,000	3,500,000
Consolidated Smelting and Refining Company (forming with 11 big companies in United States and Mexico).	New Jersey		5,000,000	
Consolidated Street Railway Company.	do		27,000,000	27,000,000
Consolidated Traction of New Jersey.	Grand Rapids		1,600,000	1,419,000
Consumers' Ice Company (all dealers of Indianapolis).	Newark		15,000,000	
Continental Cement Company.	Indianapolis		\$1,600,000	
Continental Tobacco Company (7 plug companies and plug interests of American Company).	New Jersey		5,000,000	5,000,000
Copper Sheets and Bolts, Manufacturers' Association (fixes prices).	New York City		30,000,000	30,000,000
Denver City Tramway Company (consolidated street lines).	Pittsburg		5,000,000	
Denver Union Water Company (complete plant).	Denver		5,000,000	
Derby Hat Pool (4 big companies sell together).	do		5,000,000	2,500,000
Detroit Citizens' Street Railway Company.	Michigan		\$3,000,000	
Detroit City Gas (all natural and artificial gas companies in city) ⁴ .	do		2,650,000	
Diamond Match Company (mills all over United States).	Illinois and England		4,500,000	
Dry Dock Trust (Philadelphia syndicate) ⁴ .	Chicago		11,000,000	
Dynamite Pool (3 big California companies).	San Francisco		1,000,000	
Eastern Burial Case Association (big trust forming in 1898).	New Jersey		\$2,000,000	
East Jersey Electric Company.	New Jersey		4,000,000	
Edison Electric Illuminating Company of Boston.	New Jersey		1,000,000	
Edison Electric Illuminating Company of New York ⁴ .	New York		3,744,000	
Electric Boat Company.	New York City		9,200,000	
Electric Company of America (gas and electric companies just outside of Philadelphia).	New Jersey		5,000,000	5,000,000
Electric Storage Battery Company (absorbed other companies in 1895).	do		25,000,000	
Electric Vehicle Company.	Philadelphia		8,500,000	5,000,000
Electrotypes, New York city and vicinity ⁴ .	do		5,000,000	1,000,000
Erie Telegraph and Telephone Company (controls 4 telephone companies in 7 Western and Southern States).	New York City		\$5,000,000	
Factory Insurance Association, 29 companies ⁴ .	Cleveland		5,000,000	
Federal Steel Company (owns many mills and properties).	Hartford		34,655,000	
Fire-Proofing (9 Ohio companies sell together).	New York City		46,484,000	52,767,600
Five States Milk Producers' Association (farmers to keep prices of milk up, as against the trust).	New Jersey		13,000,000	
Fox River Birch and Tile Company (consolidated 15 birch yards in Wisconsin).	Wisconsin		200,600	
Francis Gowdy Distilling Company (combination Eastern gin companies).	Connecticut		100,000	
General Chemical Company.	New York		12,500,000	12,500,000
General Electric; pools with other companies.	New York		18,276,000	2,551,200
General Electric Company of Minneapolis; light, heat, and power.	New Jersey		2,100,000	
Glucose Sugar Refining Company; nearly all in United States.	do		24,027,200	
Granite Ware Trust; 4 companies combining.	Chicago		120,000,000	
Grape Growers' Pool; agree on prices in northern Ohio.	New Jersey		12,600,000	
Havana Commercial Company (Cuban tobacco, etc.).	do		10,000,000	6,000,000
Havana Electric Railway; electric, gas, telephone, etc.	do		5,000,000	
Hawaiian Commercial and Sugar Company.	New Jersey		2,312,755	
Hecker-Jones-Jewell Milling Company ⁴ .	New York City		2,000,000	3,000,000
Herkimer County Light and Power Company; companies in 3 cities in county.	Herkimer?		400,000	
Herring-Hall-Marvin; reorganizing.	New Jersey		1,650,000	1,650,000
Illinois State Board of Fire Underwriters; 72 companies ⁴ .	New Jersey		49,430,760	
Indiana League of Fire Underwriters; 27 companies ⁴ .	New Jersey		10,625,568	
Indurated Fiber Industries Company.	New York City		1,000,000	
International Air Power Company; plants in Massachusetts and Rhode Island.	do		6,500,000	600,000
International Cement Company; forming.	do		25,000,000	25,000,000
International Heater Company; 4 companies.	New York		500,000	900,000
International Paper Company; 26 news and printing paper manufacturers east of Chicago.	New Jersey		16,040,400	20,530,700
International Silver Company; 24 companies—75 per cent silver plate companies.	New Jersey		11,000,000	5,000,000
International Steam Pump Company; 5 biggest companies in United States.	do		12,500,000	15,000,000
Kansas City (Mo.) Gas Company.	Missouri		5,000,000	
Kentucky Distilleries and Warehouse Company; 57 "bourbon" plants.	Kansas City		18,500,000	
Kings County Electric Light and Power Company; all electric companies in Brooklyn except one.	New Jersey		1,968,000	
Knickerbocker Ice Company, Chicago; 28 companies, all in Chicago.	Brooklyn			
Kodak Limited Company; consolidated English, French, German, and American companies.	Chicago		4,000,000	3,000,000
Laclede Gas Light Company; controls all in St. Louis since 1880.	do		£1,000,000	£600,000
Lake Carriers' Association; 3 lines; pool prices.	Missouri	St. Louis	\$7,500,000	\$2,500,000
			\$10,000,000	

Present name of trust. ²	Where incorporated.	Location principal office.	Capitalization. ³	
			Common stock.	Preferred stock.
Lake Dredgers' Association; 123 owners of dredges on Great Lakes	Illinois	New York City	\$5,000,000	
Lake Superior Consolidated Iron Mines ⁴			28,450,000	
Lanyon Zinc Company	New Jersey		1,000,000	\$2,000,000
Lexington (Ky.) Railroad; 4 companies			800,000	
Linen Thread Company; selling agency 3 manufacturers	New Jersey	Paterson (?)	\$4,000,000	
Lumber Carriers' Association; vessels on Great Lakes		Detroit	\$6,000,000	
Manhattan Spirits Company; wood alcohol			5,000,000	
Manufacturers' Paper Company of Chicago; selling agency for many mills			\$10,000,000	
Maple Flooring Manufacturers' Association; fixes prices			\$2,000,000	
Marsden Company of Philadelphia (cellulose trust)			30,600,000	1,500,000
Martin Kalbfleisch Chemical Company	New York	New York City	1,450,000	
Maryland Brewing Company; 17 brewery companies of Baltimore		Baltimore	2,250,000	\$3,250,000
Mass Consolidated Company; 5 copper properties in Michigan belt			2,500,000	
Metropolitan Street Railway Company ⁵		Kansas City	5,586,800	
Metropolitan Street Railway; most in New York city	New York	New York City	40,000,000	
Metropolitan Tobacco Company; selling combine		do	500,000	\$500,000
Michigan Salt Association		Scranton	\$4,000,000	
Milk Combine of Scranton, Pa.; entire supply			\$1,000,000	
Milwaukee and Chicago Breweries Company; English and American companies	New Jersey	Milwaukee	\$5,494,500	\$775,000
Milwaukee Electric Railway and Light Company; all in city		Minneapolis	1,500,000	\$500,000
Minneapolis General Electric; plants in city		do	45,119,740	
Minnesota and Dakota Fire Underwriters; 68 companies ⁶			\$10,000,000	
Mississippi River Steamboat Pool; 3 companies pool			\$4,000,000	
Missouri Edison Electric Company ⁷	Missouri	St. Louis	1,000,000	
National Abrasive Manufacturing Company; controls corundum and other abrasive materials		Pittsburg	\$5,000,000	
National Association of Axle Manufacturers	New Jersey	Chicago	29,000,000	\$3,000,000
National Biscuit Company (90 per cent of large bakeries in United States)		Cleveland	5,500,000	4,500,000
National Carbon Company (all companies in United States and three-fourths in world)		New York City	\$10,000,000	
National Casket Company	New Jersey		2,000,000	(?) 500,000
National Electric Car Lighting Company			20,000,000	10,000,000
National Enameling and Stamping Company (consolidation of 4 principal companies in United States)				
National Harrow Company (spring-tooth harrows)	New York	New York City	\$2,000,000	
National Lead Company (36 white lead, etc., plants)	New Jersey		14,905,400	14,904,000
National Mirror Manufacturers' Association (40 companies; fix prices, etc.)			15,000,000	
National Rice Milling Company	New Jersey	New Orleans	1,867,000	1,320,000
National Salt Company of New Jersey (forming to control salt interests in the East)		New York City	15,000,000	
National Saw Company (controlled by Diston)				
National Shear Company	Kentucky	do	\$12,000,000	600,000
National Starch Manufacturing Company (30 plants; price agreement with other companies in 1892)	New Jersey	Newark	1,500,000	1,500,000
National Tin Plate and Stamped Ware Company (opposition to National Enameling Company)		New York City	3,233,000	4,066,200
National Steel Company; expects to control 20 plants	New Jersey			
National Tube Company; forming with 17 companies				
National Wall Paper Company; 28 companies in 1892, absorbing 2 or more in 1899; forming				
New Amsterdam Gas Company; consolidates 3 companies in New York City	New Jersey			
New England Gas and Coke Company of Boston; all in Boston except Bay State ⁸	Massachusetts	Boston	10,000,000	10,000,000
New England Dairy Company; milk companies	New Jersey	Boston	600,000	250,000
New England Telephone and Telegraph Company		do	11,986,400	
New England Insurance Exchange; 84 fire-insurance companies			58,537,167	
New Orleans Water Works Company		New Orleans	2,000,000	
New York and New Jersey Telephone	New York	Brooklyn (?)	4,662,400	
New York Arch, Terra-Cotta Company; allied with other companies		New York City	\$4,000,000	
New York Gas, Electric Light, Heat and Power Company of New York City		do	36,000,000	
New York Suburban Gas Company (5 companies in Westchester County)			1,500,000	
Nicholson File Company; 5 plants—70 per cent product			4,200,000	
North American (owns street railways and electric companies)	New Jersey	Providence	30,733,600	
North Carolina Pine Timber Association; fixes prices		New York	\$20,000,000	
North Jersey Street Railway Company; consolidated trolleys and 2 ferries	New Jersey	Hoboken	5,000,000	
North River Light, Heat and Power Company		Boston	300,000	
North Shore Traction Company; controls railways around Boston			4,000,000	2,500,000
Oilcloth Pool (table, enamel, etc.)			1,500,000	
Oil Well Supply Company	Pennsylvania	Pittsburg	1,000,000	
Omaha Street Railway Company ⁹		Omaha	5,000,000	
Otis (Passenger) Elevator Company; 13 companies—56 per cent of product	New Jersey	Chicago	6,000,000	4,000,000
Pacific American Fisheries Company			5,000,000	
Pacific States Telephone Company; 4 telegraph and telephone systems of Pacific coast			\$10,000,000	
Paducah (Ky.) Railway and Electric Light Company; all railway and electric light plants of Paducah			200,000	
Paterson and Passaic Gas and Electric Company; consolidation of 4 companies	New Jersey		5,000,000	
Pennsylvania Central Brewing Company; 12 breweries in Wyoming Valley	Pennsylvania		2,800,000	\$3,800,000
Pennsylvania Manufacturing Light and Power; all electric companies of Philadelphia ¹⁰	New Jersey	Philadelphia	15,000,000	
People's Gas Light and Coke Company of Buffalo; consolidated				
People's Gas Light and Coke Company of Chicago; took in now Chicago companies in 1898 ¹¹	Illinois	Buffalo	4,975,000	3,025,000
People's Light and Power Company; 14 companies in New Jersey		Chicago	28,750,000	
Petersburg, (Virginia), Railway and Electric; consolidation of all companies		Newark	20,000,000	
Photographic Paper; 24 companies, manufacturers of sensitized paper		Petersburg	500,000	
Pillsbury-Washburn Flour Mills Company (Limited)	Minnesota	Minneapolis	2,000,000	
Pittsburgh Brewing Company		Pittsburg	\$6,500,000	\$6,500,000
Pittsburgh Plate Glass Company		New York City	9,850,000	150,000
Postal Telegraph Cable Company		Pittsburg (?)	15,000,000	
Pressed Steel Car Company; consolidates Fox and Schoen companies and has a monopoly	New Jersey		12,500,000	19,500,000
Print Cloth Pool; 30 mills; restrict production and fix prices			50,000,000	
Pueblo Traction and Electric Company; owns 3 electric light companies of city	California	Pueblo	500,000	
Reading Company (Anthracite Coal Trust)			\$150,000,000	
Refrigerator Trust; 36 firms; 80 per cent of trade			\$8,000,000	
River Coal Operators' Company; Pittsburg to New Orleans	New Jersey	New York	\$11,000,000	
Royal Baking Powder Company; consolidation of all companies		New York city	10,000,000	10,000,000
Rubber Goods Manufacturers' Company; consolidation of mechanical goods companies			25,000,000	25,000,000
Saginaw Valley Traction Company; consolidation of 4 companies		Saginaw	700,000	400,000
San Francisco Breweries, Limited (agreement with other breweries)		San Francisco	\$20,000,000	
Santy-Kalsomine Company (Plaster Trust)	Michigan	Grand Rapids	\$3,000,000	
Sash and Door Combine; 26 companies; fix prices		Chicago (?)	\$15,000,000	
Shelby Tube Company; seamless tubes		Shelby, Ohio	5,000,000	
Shot and Lead Manufacturers' Association; fixes prices			\$2,000,000	
Shovel Makers of United States and Canada; international agreement			\$6,000,000	

Present name of trust. ²	Where incorporated.	Location principal office.	Capitalization. ³	
			Common stock.	Preferred stock.
Southeastern Tariff Association; 67 fire insurance companies ⁴ .		New Orleans (?)	\$41,424,318	
Sperry Flour Company; California	California		10,000,000	
Spirits Distributing Company; selling agency for American Spirits and Southern Distributing companies.	New Jersey		3,075,000	\$3,075,000
Springfield Coal Association; 10 companies	Illinois	Springfield	\$4,000,000	
Standard Distilling and Distributing Company; whisky	New Jersey	New York City	16,000,000	8,000,000
Standard Oil; controls petroleum refineries, etc., in United States	do	do	97,250,000	
Standard Rope and Twine Company; sells through Union Selling Company	New Jersey	do	12,000,000	
Standard Sardine Company	Missouri (?)		5,000,000	
Standard Telephone Company; bought Central Missouri Company in 1898	Kansas City	\$10,000,000		
Steel Beams Association; fixed prices	Pittsburg		\$20,000,000	
Steel Rail Manufacturers' Association; all big companies agree	Trenton		50,000,000	
Steel Steamers; forming with all manufacturers on Great Lakes	Chicago		\$15,000,000	15,000,000
Steel Tired Car Wheel Company; 6 or 7 car-wheel companies	Syracuse		2,000,000	
Swift and Company (beef)	Illinois		\$20,000,000	
Syracuse Rapid Transit Railway Company; all in Syracuse	Birmingham		2,750,000	1,250,000
Temple Iron Company; consolidated 7 anthracite coal companies in Pennsylvania.	New Jersey			
Tennessee Coal, Iron and Railroad Company; plants in Tennessee and Alabama	New Jersey			
Theatrical Trust; 50 big ones work together	New Jersey			
Tidewater Oil Company; consolidation of 4 companies	Trenton			
Torrington Needle Company	New Jersey			
Trenton Gas and Electric Company; 4 companies	Minneapolis			
Tubular Dispatch Company; consolidated 2 companies	New Jersey			
Twin City Rapid Transit; all street railways in Minneapolis and St. Paul ⁵	Syracuse			
Umbrella Hardware Company	Virginia			
Underwriters' Association of State of New York; 72 companies	Utah			
Union Bag and Paper Company	New York			
Union Carbide Company (acetylene consolidated)	Pennsylvania			
Union Light and Power Company; 4 companies of Salt Lake and Ogden, Utah	Philadelphia			
Union Switch and Signal Company; consolidated with National Switch and Signal Company.	Chicago			
Union Tobacco Company; absorbed Durham Company	New York City			
Union Traction Company; all trolleys in Philadelphia	Philadelphia			
Union Typewriter; 5 leading companies	New York City			
United Breweries Company; 13 breweries, Chicago	do			
United Electric Company of New Jersey; to unite all companies in North, New Jersey.	do			
United Gas Improvement Company	Pennsylvania			
United Ice Cream Company; 4 companies in Chicago	do			
United Lighting and Heating Company; 8 companies; oil lighting interests of United States.	do			
United Paper Company (tissue).	do			
United Railways and Electric Companies of Baltimore; all in city	Maryland			
United Shoe Machinery Company	New Jersey			
United Traction Company; controls all electric roads in Reading, Pa.	Reading			
United Traction and Electric Company; all roads in and near Providence ⁶	Providence			
United States Cast Iron Pipe and Foundry; 13 companies, practically all in South and West.	New Jersey			
United States Dyewood and Extract Company; to unite all in United States	Pittsburg			
United States Eaves, Trough and Conductor Pipe Association	do			
United States Envelope Company; 10 companies; 90 per cent product in United States.	do			
United States Express; not incorporated	New York			
United States Furniture Company (school); enlarging and reforming in 1899	Pennsylvania			
United States Glass Company; flint glass	New Jersey			
United States Leather Company	New Jersey			
United States Oil Company	New Jersey			
United States Playing Card Company; allied with 3 other companies	New Jersey			
United States Rubber; controls boot and shoe output of United States	New Jersey			
Vermont Marble Company	New Jersey			
Virginia-Carolina Chemical Company; 27 fertilizer factories	New York			
Virginia Electric Company of Norfolk; consolidated all companies in city	do			
Virginia Iron, Coal, and Coke Company; properties in Virginia	do			
Welsbach Commercial Company; owns Welsbach light; 3 companies	do			
Wells-Fargo Express	do			
Western Elevator Association; 40 leading in Buffalo	do			
Western Factory Insurance Association; 23 companies ⁷	do			
Western Live Stock and Land Company	do			
Western Strawboard Company; plants not in American Company	do			
Western Union Fire Insurance Association; 59 companies in Western and Southern States ⁸	do			
Western Union Telegraph; consolidated other companies in 1881, 1887, and 1894	New York			
Westinghouse Air-Bruke Company; bought American and Boyden companies in 1898	Pennsylvania			
Westinghouse Electric and Manufacturing Company; pools with General Electric and owns United States Electric Locomotive Company and Walker companies.	do			
Wholesale Druggists' National Association; 25 firms. ⁹	Pittsburg			
Wholesale Grocers of New England. ¹⁰	Philadelphia			
Window Shade Manufacturers' Association; nearly all in country	Boston			
Wire Cloth Manufacturers' Association of America; 12 firms agree on prices	do			
Writing Paper Trust; forming with 35 mills in Connecticut Valley	do			
Yarn (cotton hosiery) Manufacturers; fix prices	do			
Yellow Pine Company ¹¹	do			
Totals			4,247,918,981	870,575,200

² A few of the trusts included in this list are not at this particular time in full force. In most such cases new agreements are pending, and it is unlikely that, having realized the benefits of combination, capital in these industries will long continue to compete with itself. Some trusts, like the Michigan Salt Association, are renewed every five years, or at other regular or irregular periods. The Paris Green Combine is likely to make its appearance during, or previous to, the potato-bean season.

³ When a trust is incorporated the amount of capital reported as issued is usually taken, though it is often far above or below the actual capital employed. When not incorporated, the capital employed in the allied concerns is estimated.

⁴ Unincorporated trusts pay no dividends, though they often make profits to the constituent companies. Sometimes the rate of dividends on preferred stock is averaged for two or more kinds of such stock. In bonded indebtedness several kinds of bonds are often grouped together.

⁵ Estimated.

⁶ Only typical trusts are taken in these industries. Such trusts are duplicated in many other cities or sections of the country.

⁷ This association maintains prices of proprietary medicines by refusing to handle goods sold to wholesalers who cut prices. Similar local associations cover all sections of the United States and regulate prices of most leading articles. Jobbers and retailers have similar combinations in States, counties, and cities.

⁸ Wholesale grocers' associations exist in all parts of the country. By means of rebates, etc., they assist the manufacturers of sugar, starch, baking powder, and of hundreds of other leading articles in maintaining uniform prices.

ADDITIONS TO TRUSTS AND COMBINATIONS.

The following are some of the industrial trusts formed and projected since about the middle of March to May 27:

Present name of trust.	Where incorporated.	Location principal office.	Capitalization.	
			Common stock.	Preferred stock.
Amalgamated Copper Company; to acquire copper properties	New Jersey		\$75,000,000	
American Agricultural Chemical Company; 23 fertilizer plants	Connecticut		17,000,000	\$17,000,000
American Bicycle Company; 100 plants—95 per cent in country	New Jersey		45,000,000	35,000,000
American Chicle Co.; forming with 6 chewing-gum plants	do		6,000,000	3,000,000
American Gas and Electric Lighting Fixture Company; forming with 14 plants	do		9,000,000	6,000,000
American Hide and Leather Company; 30 companies—95 per cent upper leather output	do		40,000,000	30,000,000
American Plow Company; forming—17 agricultural implement manufacturers, Chicago.	Chicago		105,000,000	
American Plumbing Supply and Lead Company; 45 companies	New Jersey		25,000,000	10,000,000
American Railways Company; to control electric railway companies in United States	do	Chicago	25,000,000	
American Railway Equipment Company; forming—18 freight-car equipment companies	do		9,730,000	7,730,000
American School Furniture Company; school and church furniture	do		10,000,000	
American Shipbuilding Company; shipbuilding, etc., on Great Lakes	do		10,000,000	10,000,000
American Smelting and Refining Company; controls many big companies ¹	New Jersey		27,400,000	27,400,000
American Steel Hoop Company; 10 hoop, tie, and band companies	do		19,000,000	14,000,000
American Stoneware Company; forming—25 potteries companies east of Mississippi River.	Delaware	Akron	2,500,000	
American Window Glass Company; forming to control 80 or 90 per cent of all American Writing Paper Company; forming with 21 mills in Massachusetts ²	Holyoke		30,000,000	
Automobile Machine and Screw Company; forming—9 screw manufacturers in United States.			12,500,000	12,500,000
Boston Breweries Company; forming—6-10 breweries	New Jersey	Boston	6,250,000	6,500,000
Carnegie Steel Company; forming—includes 15 Carnegie & Frick iron, steel and coke companies ³	Pittsburg		125,000,000	125,000,000
Central Hudson Steamboat Company; 9 Hudson River boats ⁴	do		1,000,000	
Consolidated Street Car Company; 5 of largest manufacturers	do		10,000,000	8,000,000
Chamber Furniture Manufacturers' Association; 50 manufacturers of sideboards, etc.; fixed prices	New Jersey	Chicago	10,000,000	
Chicago Laundry Combine; forming with 75 steam laundries	New Jersey		14,000,000	
Chicago Sash, Door, and Blind Company; 35 Chicago companies	do		3,500,000	2,500,000
Columbian Car Lighting and Brake Company; 3 companies			10,000,000	
Consolidated Ice Company; all artificial companies in Pittsburgh			2,000,000	2,000,000
Continental Cotton Oil Company; 7 Southern companies	New Jersey		3,000,000	3,000,000
Continental Packing Company; with Standard Company; controls sardine output	do		3,000,000	
Cotton Yarn Combination; forming—7 mills in Massachusetts			8,400,000	
Encaustic Tile Company; to control all companies			4,000,000	3,000,000
Federal Sewer Pipe Company	Delaware		10,750,000	
Hot Air Furnace Manufacturers' Association; fixed prices	New Jersey	Pittsburg	15,000,000	
International Automobile and Vehicle Tire Company; 3 rubber-tire companies			1,500,000	1,500,000
Ledger Paper Combination; forming with 4 Massachusetts companies	New Jersey		1,000,000	
Macbeth Evans Glass Company; forming—5 chimney concerns, all in the United States.	do		2,000,000	
Manufactured Rubber Company; to control output	New Jersey		5,000,000	1,000,000
National Association of Wagon Manufacturers; fixes prices	California		10,000,000	
National Car Equipment Company; forming in California			150,000,000	
National Carpet Company; forming—nearly all mills in United States		Chicago	12,000,000	
National Dining Table Association; 30 firms; fixed prices			4,000,000	8,000,000
National Glass Company; 17 flint bottle, etc., companies	New Jersey		10,000,000	
National Screw Company; forming—includes American and 13 other companies	do		2,000,000	2,000,000
National Strawboard Company; forming; will act with American Company			2,500,000	1,500,000
Pacific Coast Biscuit Company; forming with 7 big companies ⁵	New Jersey	Newark	120,000,000	
Patent Leather Combination; forming; 95 per cent of United States product	do		1,750,000	1,750,000
Pittsburg Laundry Company	New Jersey	Seattle	11,000,000	
Puget Sound Packers' Association; 8 big salmon packers; fixes prices		Chicago	30,000,000	25,000,000
Republic Iron and Steel Company; 31 bar and forge iron companies, etc	New Jersey		25,000,000	125,000,000
Soapmakers' Combination; most of big Western companies			5,000,000	
Southern New England Brick Manufacturers' trust forming			1,150,000	1,150,000
Springfield (Mass.) Breweries Company; 4 breweries ⁶			4,000,000	1,800,000
Standard Metal Company; forming—10 companies, car-journal bearings, etc			3,250,000	3,250,000
Standard Chain Company; forming—95 per cent machine-made chains			30,000,000	30,000,000
Union Steel and Chain Company; forming	Delaware		20,000,000	
United Fruit Company; 10 big companies; tropical fruits	New Jersey		12,500,000	
United Power and Transportation Company; to control street railways in Pennsylvania.	do			
United States Dry Paint Company; forming—mineral paints	New Jersey		13,000,000	14,500,000
United States Flour Milling Company; forming—19 mills ⁷			3,500,000	5,000,000
United States Glue Company; forming to control glue product	New Jersey		15,000,000	10,000,000
United States Worsted Yarn Company; forming to unite 19 largest mills	do		20,000,000	15,000,000
United Zinc and Lead Company; to unite mills in Missouri and Kansas	do		5,000,000	1,000,000
Western Drug Jobbers; forming—Western combination			15,000,000	15,000,000
Total			902,740,000	490,830,000

¹ Estimated, ² \$2,133,000 bonds. ³ \$17,000,000 bonds. ⁴ \$100,000,000 5 per cent bonds. ⁵ \$500,000 bonds. ⁶ \$1,500,000 6 per cent bonds. ⁷ \$7,500,000 6 per cent bonds.

In the above list only the capital stock and bonds actually issued or proposed to be issued at once are given, when known. Some of the trusts in this list include trusts in the main list. Thus the United Fruit Company includes the Boston Fruit Company; the United States Flour Milling Company includes the Hecker-Jones-Jewell Milling Company, etc. Some of the trusts are under different names, since being formally organized. Thus the Chicago Sash, Door, and Blind Company probably includes but little more than the Sash and Door Combination; the American Shipbuilding Company is the incorporated name of the Steel Steamers Combination. Some of the trusts marked "forming" are so far advanced that retraction is hardly possible. Others have simply secured options on plants and are attempting to float the bonds and stocks.

Mr. ALLEN. Mr. President, I have no desire to consume the time of the Senate in unnecessary discussion, although I should be pleased, if the circumstances would warrant, to take up some other features of this Republican Administration and review them; but I will yield to the seeming demand on the part of my friends on both sides of the Chamber that we may transact some much-needed business.

But, Mr. President, before yielding the floor, I desire to ask unanimous consent to have inserted as part of my remarks a speech delivered by Hon. W. J. Bryan at the Chicago anti-trust conference of recent date.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Nebraska? The Chair hears none, and the order is made.

The speech referred to is as follows:

ADDRESS BY HON. WILLIAM J. BRYAN, DELIVERED AT THE CHICAGO ANTI-TRUST CONFERENCE—THE DEMOCRATIC POSITION CLEARLY STATED.

Mr. Chairman, ladies and gentlemen: I appreciate the very kind words spoken by Governor Stanley in presenting me to this audience. I am glad I live in a country where people can differ from one another, differ honestly, express their convictions boldly, and yet respect one another and acknowledge one another's rights. I am not vain enough, however, to think that any good will which has been expressed by the people toward me is due to

personal merit. If I have had political friends, it is because people believe with me in certain ideas, or rather, because I believe with them in certain ideas. It is the idea that makes the man. The man is only important as he helps the idea.

I come this morning to discuss in your presence a great question—a question of growing importance to the American people. The trust principle is not a new principle, but the trust principle is manifesting itself in so many ways and the trusts have grown so rapidly that people now feel alarmed about trusts who did not feel alarmed three years ago.

The trust question has grown in importance, because within two years more trusts have been organized, when we come to consider the capitalization and the magnitude of the interests involved, than were organized in all the previous history of the country, and the people now come face to face with this question: Is the trust a blessing or a curse? If a curse, what remedy can be applied to the curse?

I want to start with the declaration that a monopoly in private hands is indefensible from any standpoint, and intolerable. I make no exceptions to the rule. I do not divide monopolies in private into good monopolies and bad monopolies. There is no good monopoly in private hands. There can be no good monopoly in private hands until the Almighty sends us angels to preside over the monopoly.

There may be a despot who is better than another despot, but there is no good despotism. One trust may be less harmful than another. One trust magnate may be more benevolent than another, but there is no good monopoly in private hands, and I do not believe it is safe for society to permit any man or group of men to monopolize any article of merchandise or any branch of industry.

What is the defense made of the monopoly? The defense of the monopoly is always placed on the ground that if you allow a few people to control the market and fix the price they will be good to the people who purchase of them. The entire defense of the trusts rests upon a money argument. If the trust will sell to a man an article for a dollar less than the article will cost under other conditions, then in the opinion of some that proves a trust to be a good thing.

In the first place, I deny that under a monopoly the price will be reduced. In the second place, if under a monopoly the price is reduced, the objections to a monopoly from other standpoints far outweigh any financial advantage that the trust could bring. But I protest in the beginning against settling every question upon the dollar argument. I protest against the attempt to drag every question down to the low level of dollars and cents.

In 1859 Abraham Lincoln wrote a letter to the Republicans of Boston who were celebrating Jefferson's birthday, and in the course of the letter he said: "The Republican party believes in the man and the dollar, but in case of conflict it believes in the man before the dollar." In the early years of his Administration he sent a message to Congress, and in that message he warned his countrymen against the approach of monarchy.

And what was it that alarmed him? He said it was the attempt to put capital upon an equal footing with, if not above, labor in the structure of government, and in that attempt to put capital even upon an equal footing with labor in the structure of government he saw the approach of monarchy. Lincoln was right. Whenever you put capital upon an equal footing with labor or above labor in the structure of government you are on the road toward a government that rests not upon reason, but upon force.

Nothing is more important than that we shall in the beginning rightly understand the relation between money and man. Man is the creature of God, and money is the creature of man. Money is made to be the servant of man, and I protest against all theories that enthrone money and debase mankind.

What is the purpose of the trust or the monopoly? For when I use the word trust I use it in the sense that the trust means monopoly. What is the purpose of monopoly? You can find out from the speeches made by those who are connected with trusts. I have here a speech made by those who are connected with the trusts.

I have here a speech made by Charles R. Flint at Boston on the 25th day of last May, and the morning papers of the 26th in describing the meeting said he defended trust principles before an exceedingly sympathetic audience, and then added: "For his audience was composed almost exclusively of Boston bankers." "We thus secure," he says, "the advantages of larger aggregations of capital and ability; if I am asked what they are, the answer is only difficult because the list is so long."

But I want now to read to you a few of the advantages to be derived by the trusts from the trust system. "Raw material bought in large quantities is secured at lower prices." That is the first advantage. One man to buy wool for all the woolen manufacturers. That means that every man who sells wool must sell it at the price fixed by this one purchaser in the United States. The first thing is to lower the price of raw material.

The great majority of the people are engaged in the production of raw material and in the purchase of finished products. Comparatively few can stand at the head of syndicates and monopolies and secure the profits from them. Therefore, the first advantage of a monopoly is to lower the price of the raw material furnished by the people. Note the next advantage: "Those plants which are best equipped and most advantageously situated are run continuously and in preference to those less favored."

The next thing after they have bought all the factories is to close some of them and to turn out of employment the men who are engaged in them. If you will go about over the country, you will see where people have subscribed money to establish enterprises, and where these enterprises, having come under the control of the trusts, have been closed and stand now as silent monuments of the trust system.

Bethold the next advantage: "In case of local strikes and fires, the work goes on elsewhere, thus preventing serious loss." Do not the laboring men understand what that means? "In case of local strikes or fires, the work goes on elsewhere, thus preventing serious loss." What does it mean? It means that if the people employed in one factory are not satisfied with the terms fixed by the employer, and strike, the trust can close that factory and let the employees starve while work goes on in other factories without loss to the manufacturers.

It means that when the trust has frozen out the striking employees in one factory and compelled them to return to work at any price to secure bread for their wives and children, it can provoke a strike somewhere else and freeze the workmen out there. When a branch of industry is entirely in the hands of one great monopoly, so that every skilled man in that industry has to go to the one man for employment, then that one man will fix wages as he pleases, and the laboring men will share the suffering of the man who sells the raw materials.

"There is no multiplication of the means of distribution, and a better force of salesmen takes the place of a large number." That is the next advantage named. I want to warn you that when the monopoly has absolute control, brains will be at a discount, and relatives will be found to fill these positions. When there is competition, every employer has to get a good man to meet competition, but when there is no competition, anybody can sit in the office and receive letters and answer them, because everybody has to write to the same house for anything he wants.

There is no question about it. A trust, a monopoly, can lessen the cost of

distribution. But when it does so society has no assurance that it will get any of the benefits from that reduction of cost. But you will take away the necessity for skill and brains. You will take away the stimulus that has given to us the quick, the ever alert commercial traveler. These commercial evangelists, who go from one part of the country to the other, proclaiming the merits of their respective goods, will not be needed, because when anybody wants merchandise all he has to do is to write to the one man who has the article for sale, and say "What will you let me have it for to-day?"

And here is another advantage: "Terms and conditions of sale become more uniform and credit can be more safely granted." The trust can not only fix the price of what it sells, but it can fix the terms upon which it sells. You can pay cash, or, if there is a discount, it is just so much discount, and you have to trust to the manager's generosity as to what is fair when he is on one side and you on the other. I have read some of the advantages which a great trust magnate thinks will come to the trust.

What is the first thing to be expected of a trust? That it will cut down expenses. What is the second? That it will raise prices. We have not had in this country a taste of a complete trust, a complete monopoly, and we can not tell what will be the results of a complete monopoly by looking at the results that have followed from an attempt to secure a monopoly. A corporation may lower prices to rid itself of competitors; but when it has rid itself of competitors, what is going to be the result?

My friends, all you have to know is human nature. God made men selfish. I do not mean to say that he made a mistake when he did, because selfishness is merely the outgrowth of an instinct of self-preservation. It is the abnormal development of a man's desire to protect himself; but everybody who knows human nature knows how easy it is to develop that side of a man's being. Occasionally I find a man who says he is not selfish, but when I do, I find a man who can prove it only by his own affidavit.

We get ideas from every source. An idea is the most important thing that a man can get into his head. An idea will control a man's life. An idea will revolutionize a community, a State, a nation, the world. And we never know when we are going to get an idea. Sometimes we get them when we do not want to get them, and sometimes we get them from sources which would not be expected to furnish ideas.

We get them from our fellow-men; we get them from inanimate nature; we get them from the animals about us. I once got a valuable idea from some hogs. I was riding through Iowa and saw some hogs rooting in a field. The first thought that came to my mind was that those hogs were destroying a great deal in value, and then my mind ran back to the time when I lived upon a farm and we had hogs.

Then I thought of the way in which we used to protect property from the hogs by putting rings in the noses of the hogs; and then the question came to me, why did we do it? Not to keep the hogs from getting fat, for we were more interested in their getting fat than they were; the sooner they got fat the sooner we killed them; the longer they were in getting fat the longer they lived. But why did we put the rings in their noses?

So that while they were getting fat they would not destroy more than they were worth. And then the thought came to me that one of the great purposes of government was to put rings in the noses of hogs. I don't mean to say anything offensive, but we are all hogish. In hours of temptation we are likely to trespass upon the rights of others.

I believe in self-government. I believe in the doctrines that underlie this Government. I believe that people are capable of governing themselves? Why? Because in their sober moments they have helped to put rings in their own noses, to protect others from themselves, and themselves from others in hours of temptation. And so I believe we must recognize human nature. We must recognize selfishness, and we must so make our laws that people shall not be permitted to trespass upon the rights of others in their efforts to secure advantages for themselves.

I believe society is interested in the independence of every citizen. I wish we might have a condition where every adult who died might die leaving to his widow and children enough property for the education of his children and the support of his widow. Society is interested in this, because if a man dies and leaves no provision for his wife and children the burdens fall upon society. But while I wish to see every person secure for himself a competency, I don't want him to destroy more than he is worth while he is doing that.

And I believe the principle of monopoly finds its inspiration in the desire of men to secure by monopoly what they can not secure in the open field of competition. In other words, if I were going to try to find the root of the monopoly evil, I would do as I have often had occasion to do—go back to the Bible for an explanation—and I would find it in the declaration that the love of money is the root of all evil.

I will not ask you all to agree with me; we have not met here as a body of men who agree. We have met here as a body of men who are seeking the light, and each ought to be willing to hear what every other person has to say, and each of us should desire the triumph of that which is true more than the triumph of that which he may think to be true.

Let me repeat that the primary cause of monopoly is the love of money and the desire to secure the fruits of monopoly; but I believe that falling prices, caused by the rising dollar, have contributed to this desire and intensified it, because people, seeing the fall in prices, and measuring the loss of investments, have looked about for some means to protect themselves from this loss, and they have joined in combinations to hold up prices to protect their investments from a loss which would not have occurred but for the rise in the value of dollars and the fall in the level of prices.

Another thing that, in my judgment, has aided monopoly is a high tariff. Nobody can dispute that a tariff law, an import duty, enables a trust to charge for its product the price of a similar foreign product plus the tariff.

Now, some have suggested that to put everything on the free list that trusts make would destroy the trusts. I do not agree with this statement, as it is made so broadly. I believe that the high tariff has been the means of extortion, and that it has aided trusts to collect more than they otherwise could collect.

But I do not believe you could destroy all trusts by putting all trust-made articles on the free list. Why? Because if an article can be produced in this country as cheaply as it can be produced abroad, the trust could exist without the aid of any tariff, although it could not extort so much as it could with the tariff. While some relief may come from modifications of the tariff, we can not destroy monopoly until we lay the ax at the root of the tree and make monopoly impossible by law.

It has been suggested that discrimination by railroads has aided the trusts. No question about it. If one man can secure from a railroad better rates than another man, he will be able to run the other man out of business. And there is no question that discrimination and favoritism secured by one corporation against a rival have been largely instrumental in enabling the favored corporation to secure practically a complete monopoly.

Now, that can be remedied by laws that will prevent this discrimination; but when we prevent the discrimination—when we place every producer upon the same footing and absolutely prevent favoritism—monopoly may still exist. The remedy must go further. It must be complete enough to prevent the organization of a monopoly.

Now, what can be done to prevent the organization of a monopoly? I

think we differ more in remedy than we do in our opinion of the trust. I venture the opinion that few people will defend monopoly as a principle, or a trust organization as a good thing, but I imagine our great difference will be as to remedy, and I want, for a moment, to discuss the remedy.

We have a dual form of government. We have a State government and a Federal Government, and while this dual form of government has its advantages, and, to my mind, advantages which can hardly be overestimated, yet it also has its disadvantages. When you prosecute a trust in the United States court, it hides behind State sovereignty; and when you prosecute it in the State court, it rushes to cover under Federal jurisdiction—and we have had some difficulty in prosecuting a remedy.

I believe we ought to have remedies in both State and nation, and that they should be concurrent remedies. In the first place, every State has, or should have, the right to create any private corporation which, in the judgment of the people of the State, is conducive to the welfare of the people of that State. I believe we can safely intrust to the people of a State the settlement of a question which concerns them. If they create a corporation, and it becomes destructive of their best interests, they can destroy that corporation, and we can safely trust them both to create and to annihilate, if conditions make annihilation necessary.

In the second place, the State has, or should have, the right to prohibit any foreign corporation from doing business in the State, and it has, or should have, the right to impose such restrictions and limitations as the people of the State may think necessary upon foreign corporations doing business in the State. In other words, the people of the State not only should have a right to create the corporations they want, but they should be permitted to protect themselves against any outside corporation.

But I do not think this is sufficient. I believe, in addition to a State remedy, there must be a Federal remedy, and I believe Congress has, or should have, the power to place restrictions and limitations, even to the point of prohibition, upon any corporation organized in any State that wants to do business outside of the State. I say that Congress has, or should have, power to place upon the corporation such limitations and restrictions, even to the point of prohibition, as may to Congress seem necessary for the protection of the public.

Now, I believe that these concurrent remedies will prove effective. To repeat, the people of every State shall first decide whether they want to create a corporation. They shall also decide whether they want any outside corporation to do business in the State; and, if so, upon what conditions; and then Congress shall exercise the right to place upon every corporation doing business outside of the State in which it is organized such limitations and restrictions as may be necessary for the protection of the public.

I do not believe that the people of one State can rely upon the people of another State in the management of corporations. And I will give you a reason: I have here a letter that was sent out by a Delaware corporation, with an office in New York. It is a most remarkable document—the most remarkable document on this subject that has ever fallen under my observation. We have talked about the State of New Jersey having a law favorable to trusts. I have a letter here which shows that in Delaware they adopted a law for the purpose of making Delaware more friendly to the trusts than New Jersey. Let me read the letter. It is a little long, but it will repay reading:

"The State of Delaware has just adopted the most favorable of existing general corporation laws—one marking a forward step in the evolution of corporations. It does not encourage reckless incorporation, nor permit the existence of wild-cat companies; but it furnishes at the least expense ample rights to stockholders, and reduces restrictions upon corporate action to the minimum. The enactment is not the result, as in the case of most States, of hesitating, halting, enacting, amending, and repealing, but it is a logical and systematic measure, framed by a committee of able lawyers appointed by the legislature to examine the various statutes of the various States and prepare a bill which should embody the good and eliminate the bad points of existing law.

The law is based broadly upon that of the State of New Jersey, and embraces all the beneficial provisions and safeguards found in the laws of that State. It has, however, in many respects, advanced far beyond New Jersey, and makes Delaware a much more attractive home for business corporations. In the following salient provisions, the Delaware and New Jersey laws are substantially identical, namely:

Any three persons may organize a corporation; second, it may engage in any lawful business excepting banking; third, its existence may be perpetual or limited; fourth, it may purchase and deal in real or personal property wherever situated and to any desired amount; fifth, it may be a mortgagee or mortgagor; sixth, it may conduct business anywhere in the world; seventh, stock may be issued for property purchased (and in Delaware for services rendered), and in the absence of fraud the judgment of the directors as to the value of such property or services is conclusive; eighth, it may easily wind up its affairs and dissolve itself; ninth, its capital stock may not be more than \$2,000, and only \$1,000 of this need be subscribed for; tenth, the amount of capital stock which it may issue is unlimited; eleventh, it may file its certificate of incorporation and even commence business before any sum whatever is paid in; twelfth, it may have different classes of stock, with different privileges or restrictions; thirteenth, the charter may be easily amended; fourteenth, only one director need be a resident of Delaware; fifteenth, the capital stock may be easily diminished or increased; sixteenth, the corporation may be readily merged or consolidated into other corporations; seventeenth, it may own and vote upon the stock of other corporations; eighteenth, the incorporators may or may not limit the authority of the directors as to the liabilities.

"The Delaware law possesses the following decided advantages: First, the original fee to be paid for incorporation is small—about three-fourths of that in New Jersey, for instance; second, the annual tax is very small—one-half that in New Jersey. Delaware is a small State and does not need a very large revenue. Third, stockholders and directors may hold their meetings wherever they please, and need never meet in the State of Delaware. (New Jersey stockholders must meet in that State.)"

You see it is a decided advantage over the New Jersey law in that respect. Fourth, the original stock and transfer books (which in a New Jersey corporation must be kept in the State) may be kept in or out of Delaware, in the discretion of the company; fifth, the examination of the books by intermeddlers is much more difficult under the Delaware law than under the laws of any other State; sixth, the liability of the stockholders is absolutely limited when the stock has once been issued for cash, property, or services; seventh, stock may be issued in compensation for services rendered, and in the absence of fraud in the transaction the judgment of the directors as to the value of such services is conclusive. (In New Jersey authority is given to issue stock for property but not for service.) Eighth, for certain important classes of corporations, as, for instance, railroads, railway, telegraph, cable, electric-light, steam-heating, power, gas-piping lines, and sleeping-car companies, the advantage is still more marked."

I wish we had some way of knowing what the additional advantages are, after having read the ordinary advantages.

Ninth, the annual report of a Delaware corporation is required to give no secret or confidential information.

Tenth, the certificate need not show, nor need public record be in any way made of the amount of stock subscribed by any incorporator.

And then the letter adds: "This company is authorized to act as the agent and trustee of corporations organized under the Delaware law. It will maintain the principal office of the company in Delaware and keep an agent in charge within the State. It is formed for the purpose of facilitating the incorporation of companies in Delaware, and of aiding them to comply, at a minimum expense, with the requirements of the Delaware law. We are ready to aid and give full information to incorporators or their counsel. We do not interfere between attorney and client. We do not conduct a law business. Copies of the Delaware law, blank forms of information concerning Delaware corporations, furnished on application.

"All communications to us are confidential."

A Voice from the Gallery. Colonel, Delaware and New Jersey are both Democratic States, are they not?

Mr. BRYAN. They were not in 1896.

Another Voice from the Gallery. Has the gentleman any more questions to ask?

Mr. BRYAN. I am very glad to have questions asked, because we are seeking the truth.

I have read you this letter in order to show you that where a State can gain an advantage from the incorporation of these great aggregations of wealth it is not safe to place the people of other States at the tender mercies of the people of such a State as may desire to collect its running expenses from the taxation of corporations organized to prey upon people outside.

I read the letter to show how impossible it is for the people in one State to depend for protection upon the people in another State; and while, as I say, I believe the people of every State should have the power to create corporations and to restrain, to limit, and, if necessary, to annihilate, yet I believe that no complete remedy will be found for the trust until the Federal Government, with a power sufficiently comprehensive to reach into every nook and corner of the country, lays its hands upon these trusts and declares that they shall no longer exist.

I am here to hear, to receive information, and to adopt any method that anybody can propose that looks to the annihilation of the trusts.

One method has occurred to me, and it seems to me a complete method. It may not command itself to you. If you have something better, I shall accept it in the place of this which I am about to suggest. But the method which occurs to me is this: That Congress should pass a law providing that no corporation organized in any State should do business outside of the State in which it is organized until it receives from some power created by Congress a license authorizing it to do business outside of its own State.

Now, if the corporation must come to this body created by Congress to secure permission to do business outside of the State, then the license can be granted upon conditions which will, in the first place, prevent the watering of stock; in the second place, prevent monopoly in any branch of business; and third, provide for publicity as to all of the transactions and business of the corporation.

A VOICE. Colonel, would such a law be constitutional?

Mr. BRYAN. I was going to come to that. I am glad you mentioned it. What I mean to say is that Congress ought to pass such a law. If it is unconstitutional, and so declared by the Supreme Court, I am in favor of an amendment to the Constitution that will give Congress power to destroy every trust in the country. The first condition which I suggest is that no water should be allowed in the stock. I do not agree with those who say it is a matter entirely immaterial whether a corporation has water in its stock or not.

It may be true that in the long run, if you are able to run as long as the corporation can, the stock will fall to its natural level; but during all that time the harm goes on; during all that time the trust demands the right to collect dividends upon capital represented by no money whatever. I do not believe that any State should permit the organization of a corporation with a single drop of water in the stock of that corporation. The farmer can not indicate the value of his land by watering the value of that land. The merchant in the store can not inflate the value of the goods upon his shelves. Why should the corporation be permitted to put out stock that represents no real value?

Why, there are instances where there are \$1 of water for \$1 of money.

A VOICE. Seven.

Mr. BRYAN. Yes, a man suggests seven. Do I hear a higher bid? I have known it to be twelve, but I am a conservative man and I must maintain my reputation. No man can defend stock that does not represent money invested, and only in the case of a monopoly can you secure dividends upon stock that does not represent money invested.

We had a law in Nebraska that was intended to regulate railroad rates. One railroad in our State was capitalized and bonded for more than five times what it would cost to duplicate the road, and yet the judge held that in fixing rates and in determining what was fair compensation for the railroad we had to consider the watered stock as well as the actual value of that road, and when the case went to the Supreme Court the Supreme Court rendered a decision which, while I can not quote its exact language, was in substance this:

That in determining what was a reasonable rate we had to take into consideration a number of things besides the present value of that road, measured by the cost of reproduction. If the watering of the stock is permitted, then the cry of the innocent purchaser is raised, and you will be told that you must protect the man who bought this stock. No man ought to stand in the position of an innocent purchaser who buys stock in a corporation if that stock does not represent actual money invested, because he can find out what the stock stands for if he will only investigate; but as a matter of fact, the holders of watered stock are able to collect dividends.

Now, if this license is granted, then the first condition can be that any corporation desiring to do business outside of the State in which it is organized shall bring to that board or body proof that that stock is bona fide and that there is no water in it. In judgment, when you take from monopoly the power to issue stock not represented by money, you will go more than half the way toward destroying monopoly in the United States.

The law should provide for publicity. As has been well said by men who have spoken here, corporations can not claim that they have a right, or that it is necessary, to cover their transactions with secrecy, and when you provide for publicity, so that the public can know just what there is in the corporation, just what it is doing, and just what it is making, you will take another long step toward the destruction of monopoly.

But I am not willing to stop there. I do not want to go one or two steps; I want to go all the way, and make a monopoly absolutely impossible. And therefore, as a third condition, I suggest that this license shall not be granted until the corporation shows that it has not had a monopoly and is not attempting a monopoly of any branch of industry or of any article of merchandise; and then provide that, if the law is violated, the license can be revoked. I do not believe in the Government giving privileges to be exercised by a corporation without reserving the right to withdraw them when these privileges have become hurtful to the people.

Now, I may be mistaken, but as I have studied the subject it has seemed to me that this method of dealing with the trusts would prove an effective

method; but if you once establish the system and require the license, then Congress can, from year to year, add such new conditions as may be necessary for the protection of the public from the greed and avarice of great aggregations of wealth.

I do not go so far as some do, and say that there shall be no private corporations; but I say this—that a corporation is created by law; that it is created for the public good, and that it should never be permitted to do a thing that is injurious to the public, and that if any corporation enjoys any privileges to-day which are hurtful to the public, those privileges ought to be withdrawn from it. In other words, I am willing that we should first see whether we can preserve the benefits of the corporation and take from it its possibilities for harm.

A DELEGATE. Would you apply that to rich individuals also? Suppose Rockefeller did it on his own account?

Mr. BRYAN. We have not reached a point yet where an individual has been able to do harm, and, in my judgment, if we would abolish those laws that grant special privileges and make some men the favorites of the Government, no man, by his own brain and muscle, could ever earn enough money to be harmful to the people.

A DELEGATE. What will you say to the banks reporting five hundred millions of money in the vaults, and four billions of loans?

Mr. BRYAN. Well, I would say it would not be safe to have all the loans collected at once.

Following out the suggestion the gentleman has made, I want to add to what I have said to this extent: My contention is that we have been placing the dollar above the man; that we have been picking out favorites and bestowing upon them special privileges, and every advantage we have given them has been given to the detriment of other people. My contention is that there is a vicious principle running through the various policies which we have been pursuing; that in our taxation we have been imposing upon the great struggling masses the burden of government, while we have been voting the privileges to a few people who will not pay their share of the expenses of the Government.

Every unjust tax law is an indirect form of larceny. If, for instance, a man who ought to pay \$10 only pays \$5, and one who ought to pay only \$5 pays \$10, the law that compels this contribution from these two men virtually takes \$5 from one man's pocket and puts that \$5 into the other man's pocket, and I have claimed that when we collected our taxes we were making the poor people pay not only their share but the share of the men whom they have no chance to meet at the summer resorts. I have been gratified to note the progress that you have been making in Illinois toward more equitable distribution of the burdens of government.

I heard it stated that there was a time only a few years ago when the agricultural implements owned by the farmers living within the city limits of Chicago were assessed for more than all the money in Chicago returned for taxation by private citizens. I do not know whether it was true or not, but I saw it stated as a fact. There are some people who have visible property, others who have invisible property, and the visible property is always taxed. The invisible property has too often escaped, and as a result the people owning visible property have not only paid their own taxes but the taxes that should have been paid by the owners of invisible property. I have advocated an income tax because I believe it the most just tax.

I do not mention it to argue the question here, because I want to avoid the discussion of any questions that might be considered partisan. If the Government will quit picking out favorites and follow the doctrine of equal rights to all and special privileges to no man, I have no fear that any man, by his own brain or his own muscle, will be able to secure a fortune so great as to be a menace to the welfare of his fellow-men. If we secure a government whose foundations are laid in justice and laws exemplifying the doctrine of equality before the law—if we can secure such a government and such laws—and wealth is then accumulated to a point where it becomes dangerous, we can meet that question when it arises, and I am willing to trust the wisdom of society to meet every question that arises and remedy every wrong.

SIGMUND ZEISLER. What will you do, Colonel, with the multimillionaires that already exist? Suppose they should hold and acquire all the industries, all the factories, and particularly industries?

Colonel BRYAN. Do you mean before our laws go into operation?

Mr. ZEISLER. The multimillionaires that already exist.

Colonel BRYAN. In the first place, private individuals have not been able to secure monopolies, and are not likely to do so. As to the multimillionaires now in existence, I would wait and see whether they would die off soon enough to relieve the country of danger. Life is short.

If, however, their accumulations should become a menace, I would then consider what measures would be necessary for the protection of society. And this brings me to what I regard as a very important branch of this subject. I am glad the question was asked; it calls attention to the difference between an individual and a corporation. Every trust rests upon a corporation—at least, that rule is so nearly universal that I think we can accept it as a basis for legislation. Every trust rests upon a corporation, and every corporation is a creature of law. The corporation is a man-made man.

When God made man as the climax of creation, he looked upon his work and said that it was good, and yet when God finished his work the tallest man was not much taller than the shortest, and the strongest man was not much stronger than the weakest. That was God's plan. We looked upon his work and said that it was not quite as good as it might be, and so we made a fictitious person called a corporation, that is in some instances a hundred times, a thousand times, a million times, stronger than the God-made man. Then we started this man-made giant out among the God-made men. When God made man he placed a limit to his existence, so that if he was a bad man, he could not do harm long; but when we made our man-made man we raised the limit at age. In some States a corporation is given perpetual life.

When God made man, he breathed into him a soul, and warned him that in the next world he would be held accountable for the deeds done in the flesh; but when we made our man-made man, we did not give him a soul, and if he can avoid punishment in this world he need not worry about the hereafter.

My contention is that the government that created must retain control, and that the man-made man must be admonished: "Remember now thy creator in the days of thy youth," and throughout thy entire life.

Let me call your attention again to this distinction. We are not dealing with the natural man; we are not dealing with natural rights. We are dealing with the man-made man and artificial privileges.

What Government gives the Government can take away. What the Government creates it can control, and I insist that both the State government and the Federal Government must protect the God-made man from the man-made man.

I have faith that these questions will be settled, and settled right, but I want to protest against this doctrine that the trust is a natural outgrowth of natural laws. It is not true. The trust is the natural outgrowth of unnatural conditions created by man-made laws. There are some who would defend everything, good or bad, on the ground that it is destiny, and that you can not inquire into it. The fact that it is proves that it is right; the fact that it is proves that it has come to stay, and the argument most frequently made in defense of a vicious system is not that it is right and ought to stay,

but that it has come to stay whether you like it or not. I say that that is the argument that is usually advanced in behalf of an error—it is here; it has come to stay. What are you going to do about it?

I believe that in a civilized society the question is not what is, but what ought to be, and that every proposition must be arraigned at the bar of reason. If you can prove that a thing is good, let it stay; but if you can not prove that it is good, you can not hide behind the assertion that it is here and that you can not get rid of it. I believe that the American people can get rid of anything that they do not want and that they ought to get rid of everything that is not good. I believe that it is the duty of every citizen to give to his countrymen the benefit of his conscience and his judgment, and cast his influence, be it small or great, upon the right side of every question that arises.

In the determination of questions we should find out what will make our people great and good and strong rather than what will make them rich. "A good name is rather to be chosen than great riches." Shall we decide the ethics of larceny by discussing how much the man is going to steal or the chances of his getting caught? No, my friends, we must decide questions upon a higher ground, and if you were to prove to me that a monopoly would reduce the price of the articles that we have to purchase, I would still be opposed to it for a reason which, to my mind, overshadows all pecuniary arguments. The reason is this: Put the industrial system of this nation in the hands of a few men, and let them determine the price of raw material, the price of the finished product, and the wages paid to labor, and you will have an industrial aristocracy beside which a landed aristocracy would be an innocent thing.

I may be in error, but, in my judgment, a government of the people, by the people, and for the people, will be impossible when a few men control all the sources of production and dole out daily bread to all the rest on such terms as the few may prescribe. I believe that this nation is the hope of the world. I believe that the Declaration of Independence was the grandest document ever penned by human hands. The truths of that declaration are condensed into four great propositions: That all men are created equal; that they are endowed with inalienable rights; that governments are instituted among men to preserve those rights, and that governments derive their just powers from the consent of the governed.

Such a government is impossible under an industrial aristocracy. Place the food and clothing, all that we eat and wear and use, in the hands of a few people, and instead of being a government of the people it will be a government of the syndicates, by the syndicates, and for the syndicates. Establish such a government and the people will soon be powerless to secure a legislative remedy for any abuse. Establish such a system, and on the night before election the employees will be notified not to come back on the day after election unless the trusts' candidate is successful.

Establish such a government, and instead of giving the right of suffrage to the people you will virtually give the right of suffrage to the heads of monopolies, with each man empowered to vote as many times as he has employees. I am not willing to place the laboring men of this country absolutely at the mercy of the heads of monopolies. I am not willing to place the men who produce the raw material absolutely in the hands of the monopolies, because when you control the price that a man is to receive for what he produces you control the price that he is to receive for his labor in the production of that thing.

The farmer has no wages except as wages are measured by the price of his product, and when you place it in the power of the trust to fix the price of what the farmer sells, you place it in the power of the trust to lower the wages that the farmer receives for his work; and when you place it in the power of the trust to raise the price of what he buys, you do the farmer a double injury, because he burns the candle at both ends, and suffers when he sells to the trust and again when he buys of the trust.

Some people have tried to separate the laboring man who works in the factory from the laboring man who works on the farm. I want to warn the laboring men in the factories that they can not separate themselves from those who toil on the farm without inviting their own destruction. I beg the laboring men in the factories not to join the monopolies to crush the farmer, for as soon as the farmer is crushed the laboring man will be crushed, and in a test of endurance the farmer will stand it longer than the laboring man.

I come from an agricultural State—one of the great agricultural States of this nation—and I want to say to you that while our people are, I believe, a unit against the trusts, we can stand the trusts longer than the laboring man can; we can stand all the vicious policies of government longer than the laboring man can. The farmer was the first man on the scene when civilization began, and he will be the last one to disappear. The farmer wants to own his home; he ought to own it. I think that this nation is safer the larger the proportion of home owners. I want every man with a family to own his home; the farmer wants to own his home, but if you will not allow him to own his home, he can rent. He will have to be employed to work the farm.

Take his farm from him by mortgage if you like, but the man who forecloses the mortgage and buys the property will not work the farm. He will need the farmer to work for him, and he will have to give the farmer enough to live on or the farmer can not work. When prices fall so low that the farmer can not buy coal, he can burn corn. But when the prices fall so low that the coal miner can not buy corn, he can not eat coal. You can drive the farmer down so that he can not buy factory-made goods; but his wife can do like the wife of old—make the clothing for the family off of the farm; but when you close your factories it will take all of the accumulated wealth of the cities to feed the people brought to the point of starvation by vicious, greedy, avaricious legislation.

But, my friends, why should we try to see who can hold out the longest in suffering? Why try to see who can endure the most hardships and yet live? Why not try to see who can contribute most to the greatness and to the glory and to the prosperity of this nation? Why not vie with each other to see who can contribute most to make this Government what the fathers intended it to be? For one hundred years this nation has been the light of the world. For one hundred years the struggling people of all nations have looked to this nation for hope and inspiration.

Let us settle these great questions; let us teach the world the blessing of a government that comes from the people; let us show them how happy and how prosperous people can be. God made all men, and he did not make some to crawl on hands and knees and others to ride upon their backs. Let us show what can be done when we put into actual practice the great principles of human equality and of equal rights. Then this nation will fulfill its holy mission, and lead the other nations step by step in the progress of the human race toward a higher civilization.

SECOND SPEECH.

I would not occupy the time again but for the fact that the gentleman from Indiana (Mr. Foulke) has referred to a plan which I suggested, and I am afraid that he does not fully understand it.

Just a word in regard to the plan: I want to repeat that it was not presented as the only plan, nor is it necessarily the best plan. It is simply a plan. I was sorry that, when the gentleman got through destroying this plan, he did not suggest a better one. Political agnosticism is of no great value to the

public. Not to know what to do is often a convenient position to occupy, but it contributes very little to the settlement of a question.

My plan is this: First, that the State has, or should have, the right to create whatever private corporations the people of the State desire.

Second. That the State has, or should have, the right to impose such limitations upon an outside corporation as the people of the State may think necessary for their own protection. That protects the right of the people of the State to say, first, what corporations they shall organize in their State, and second, what corporations they shall permit to come from other States to do business in their State.

Third. That the Federal Government has, or should have, the right to impose such restrictions as Congress may think necessary upon any corporation which does business outside of the State in which it is organized.

In other words, I would preserve to the people of the State all the rights that they now have, and at the same time have Congress exercise a concurrent remedy to supplement the State remedy. When the Federal Government licenses a corporation to do business outside of the State in which it was organized, it merely permits it to do business in any State, under the conditions imposed by that State, in addition to the conditions imposed by the Federal Government. I would not take away from the people of the State any right now existing, but I would have the Federal Government and the State government exercise the powers that may be necessary to annihilate every monopoly.

I do not agree with the gentleman that you can not annihilate a monopoly. I believe it is possible to do so. While the gentleman was speaking I could not help thinking of the lines of a song. While he was destroying every remedy suggested, and yet presenting no other, I thought of the lines:

"Plunged in a gulf of deep despair,
Ye wretched sinners lie."

Now, it is a great deal easier to find fault with a remedy proposed than to propose a remedy which is faultless. Macaulay—I think he is the author of the remark—has said that if any money was to be made by disputing the law of gravitation, able men could be found to write articles against the truth of that law. I have no doubt that any remedy that is proposed will be assaulted. But those who believe that the trusts must go will accept the best remedy they can find, try it, and then accept a better one, if a better one is proposed, and keep on trying until the people are protected.

Now, this is a conference. We have not met here to destroy the trusts. Every law for the annihilation of the trusts must be secured through political action. We are here to discuss these questions. We are here to contribute what we can and to hear what others have to say. We are here to consider the various remedies proposed. I am not sure the remedy which I propose is unconstitutional. I am not sure that the Constitution would prohibit such an act of Congress as I suggest. Suppose that Congress should say that whenever a corporation wants to do business outside of the State it must apply to and receive from some body, created by Congress for the purpose, a license to do business. Suppose the law should provide three conditions upon which the license could be issued:

1. That the evidence should show that there was no water in the stock;
2. That the evidence should show that the corporation has not attempted in the past, and is not now attempting, to monopolize any branch of industry or any article of merchandise; and
3. Providing for that publicity which everybody has spoken of and about which everybody agrees.

Suppose that is done. Who is here to say that such a law would be unconstitutional? The Supreme Court, in deciding the Knight case, did not say that a broader law than the present one would be unconstitutional. It is true that there are things in the decision which suggest that, but until that question is presented to the court you can not say that the court has passed upon it. It is also true that Justice Harlan, in his dissenting opinion, assumed that a broader law would be held unconstitutional, but no one has a right to say that if such a law as I suggest were passed and reviewed by the Supreme Court it would be held unconstitutional. But suppose the law is passed and held unconstitutional, then we can amend the Constitution.

The gentleman suggests that it is a difficult thing to get two-thirds of both Houses and three-fourths of the States to favor such an amendment. That is true. It is a difficult thing; but if the people want to destroy the trusts, they can control two-thirds of both Houses and three-fourths of the States. But what is the alternative? Sit down and do nothing? Allow them to trample upon you, ride roughshod over you, and then thank God that you still have some left? The people are told to be contented, but I think contentment may be carried too far.

I heard of a man once who had been taught to be contented with his lot, and finally became very poor, and traded off his coat for a loaf of bread. Before he had a chance to eat the bread a dog came along and snatched it away from him. He felt a little indignant at first, but finally that feeling of contentment came back to him, and as he watched the dog turn around a corner in the road, carrying the bread away, he said: "Well, thank God, I still have my appetite left."

Now, there are people who seem to think we ought to be satisfied with anything. My friends, the American people are entitled to the best that there is. The American people are entitled to the best system on every subject. I believe when these questions are presented to the American people they will select and secure the best system. I do not believe it necessary for us to sit down quietly and permit a great aggregation of wealth to strangle every competitor. I do not believe that it is in accordance with our dignity as a people, or in accordance with the rights of the people, to say that because a great corporation is organized, therefore, it should be permitted to go into the field of a rival, undersell it until it bankrupts it, raising the money by higher prices somewhere else. I don't think it necessary for us to do that.

I have only suggested a plan. It may not be the best plan. If you have anything better, propose it. If there is any amendment that you can think of that will improve it, suggest it. I am anxious to apply a remedy.

Let me suggest one other thing that I believe will be a step in the right direction. The great trouble has been that, while our platforms denounce corporations, corporations control the elections and place the men who are elected to enforce the law under obligations to them.

Let me propose a remedy—not a remedy, but a step in the right direction. Let the laws, State and national, make it a penal offense for any corporation to contribute to the campaign fund of any political party. Nebraska has such a law, passed two years ago. Tennessee has such a law, passed two years ago. Such a measure was introduced in the State of New York, but so far it has not become a law.

You remember the testimony taken before a Senate committee a few years ago when the head of the sugar trust testified that the sugar trust made it its business to contribute to campaign funds, and when asked to which one it contributed replied that it depended upon circumstances.

"To which fund do you contribute in Massachusetts?" was asked. "To the Republican fund." "To which fund in New York?" "To the Democratic fund." "To which fund in New Jersey?" And the man replied: "Well, I will have to look at the books; that is a doubtful State."

Now, that is almost a literal reproduction of the testimony of one great

corporation on the subject of campaign contribution. I do not mean to say that that remedy will be a complete one, but I believe that when you prevent a corporation from contributing to campaign funds, you will make it easier to secure remedial legislation, because some corporations are compelled to contribute; they are blackmailed into contribution; and such a law would protect a corporation that did not want to contribute, and also prevent a corporation from contributing that did want to contribute.

If the people are in earnest they can destroy monopoly, and you never can do anything in this until the people are in earnest. When the American people understand what the monopoly question means I believe there will be no power, political, financial, or otherwise, to prevent the people from taking possession of every branch of Government, from President to the Supreme Court, and making the Government responsive to the people's will.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had agreed to the reports of the committees of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the following bills:

A bill (H. R. 11646) making provision for emergencies in river and harbor works, for certain surveys, and for the diversion of certain appropriations or modification of provisions heretofore made;

A bill (H. R. 11719) amending section 5270 of the Revised Statutes of the United States; and

A bill (H. R. 11538) making appropriations for the support of the Military Academy for the fiscal year ending June 30, 1901, and for other purposes.

The message also announced that the House had passed a bill (H. R. 638) to extend certain patents of Seth H. Smith; in which it requested the concurrence of the Senate.

The message further announced that the House had agreed to the amendment of the Senate to the bill (H. R. 10655) to provide for the use of timber and stone for domestic and industrial purposes in the Indian Territory.

The message also announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 4554) granting an increase of pension to Margaret M. Badger, asks a conference with the Senate on the disagreeing votes of the two houses thereon, and had appointed Mr. LOUDENSLAGER, Mr. BROMWELL, and Mr. S. A. DAVENPORT managers at the conference on the part of the House.

ENROLLED BILLS SIGNED.

The message further announced that the Speaker of the House had signed the following enrolled bills and joint resolution; and they were thereupon signed by the President pro tempore:

A bill (S. 4448) to provide an American register for the ships *Star of Italy* and *Star of Bengal*;

A bill (S. 4658) relating to the anchorage of vessels in the Kennebec River at or near Bath, Me.;

A bill (H. R. 10147) granting a pension to Delia A. Jones; and

A joint resolution (S. R. 129) authorizing the President to appoint George W. Kirkman to be a captain of infantry, United States Army.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had passed the bill (S. 3296) to provide for the establishment of a port of delivery at Worcester, Mass.

The message also announced that the House had passed the following bill and joint resolution; in which it requested the concurrence of the Senate:

A bill (H. R. 8487) for the relief of Col. Charles B. Dougherty and other members of the Ninth Regiment of Pennsylvania Infantry; and

A joint resolution (H. J. Res. 268) to pay the officers and employees of the Senate and House of Representatives their respective salaries for the month of June on the day following adjournment.

The message further announced that the House had agreed to the reports of the committees of conference on the disagreeing votes of the two Houses on the amendments of the House to the following bills and joint resolution:

A bill (S. 255) to ratify an agreement with the Indians of the Fort Hall Indian Reservation in Idaho, and making appropriations to carry the same into effect;

A bill (S. 1489) granting an increase of pension to Robert C. Rogers;

A bill (S. 2497) granting an increase of pension to Sarah W. Rowell;

A bill (S. 2581) to incorporate the National White Cross of America, and for other purposes; and

A joint resolution (S. R. 28) relating to the use of the rooms lately occupied by the Congressional Library in the Capitol.

The message also announced that the House had agreed to the reports of the committees of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the following bills:

A bill (H. R. 9388) to provide better facilities for the safe-keeping

and disbursement of public moneys in the Philippine Islands and the islands of Cuba and Porto Rico; and

A bill (H. R. 7950) for the extension of the Columbia road east of Thirteenth street.

The message further announced that the House insists upon its disagreement to the amendments of the Senate to the bill (H. R. 11646) making provision for emergencies in river and harbor works, for certain surveys, and for the diversion of certain appropriations or modification of provisions heretofore made; agrees to the conference asked for by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. BURTON, Mr. REEVES, and Mr. CATCHINGS managers at the conference on the part of the House.

INDIANS ON FORT HALL RESERVATION.

Mr. PLATT of Connecticut. I ask that Senate bill No. 255, which has come from the House of Representatives, may be laid before the Senate.

Mr. ALDRICH. I suggest that all the messages from the other House, which are on the table of the Presiding Officer, be laid before the Senate. There are quite a number of conference reports.

The PRESIDING OFFICER laid before the Senate the action of the House of Representatives agreeing to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 255) to ratify an agreement with the Indians of the Fort Hall Indian Reservation, in Idaho, and making appropriations to carry the same into effect.

Mr. PLATT of Connecticut. I present the conference report.

The PRESIDING OFFICER. The report will be read.

The Secretary read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 255) to ratify an agreement with the Indians of the Fort Hall Indian Reservation, in Idaho, and making appropriations to carry the same into effect, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

The Senate recedes from its disagreement to the House amendments, and agrees to the same with certain amendments thereof as follows:

In line 7 of said House amendment, page 1, after the word "only," insert "excepting as to price and."

In line 11 of said page 1 strike out the words "claimants for" and insert "purchasers of."

In page 2 of said amendment, line 6, after the words "final proof," insert "but no purchaser shall be permitted in any manner to purchase more than 100 acres of the land hereinbefore referred to."

After the word "the," on page 2, line 21, of said amendment, insert "boundary line of the."

After the word "auction," page 2, line 22, insert "payable as aforesaid."

After the word "acre," on page 2, line 24, insert, "And provided further, That any mineral lands within said 5-mile limit shall be disposed of under the mineral land laws of the United States, excepting that the price of such mineral lands shall be fixed at \$10 per acre instead of the price fixed by the said mineral land laws."

After the word "for," on page 3, line 17, insert: "and subject to the setting apart as grazing lands for said Indians, 490,000 acres of land as herein-after provided for."

On page 3, line 22, strike out the final "a" in claims; so as to read "claim."

On page 3, line 23, strike out the word "any" and insert "every."

On page 5, under the title "Article III," strike out, beginning at line 9, down to and including the words "grazing land," in line 14, and in lieu thereof insert:

"That in addition to the allotment of lands of said Indians as provided for in this agreement, the Secretary of the Interior shall set aside for the use in common for said Indian tribes, 490,000 acres of grazing lands to be selected by the Secretary of the Interior, either in one or more tracts as will best serve the interest of said Indians."

On page 6, line 20, strike out "twelve" and insert "ninety;" in line 21 strike out the word "months" and insert "days."

On page 7, in article 5 of said amendment, "title" should read "titles."

On page 8, line 25, after the word "to," insert the word "the."

On page 8, line 3, after the word "dollars," strike out beginning at line 4 down to and including the word "same," in line 14, and in lieu thereof insert: "as follows: \$500,000 to be distributed per capita to the members of said tribes at such times and in such manner as the Secretary of the Interior shall deem to be for the best interests of said Indians, which sum is hereby appropriated out of any funds in the Treasury not otherwise appropriated, and any part of the same remaining unpaid shall draw interest at the rate of 5 per cent while remaining in the Treasury, which interest shall be paid to the Indians annually per capita; and the remaining \$1,500,000 to be retained in the Treasury of the United States placed to the credit of said Indians, and while so retained to draw interest at the rate of 5 per cent per annum, to be paid to the said Indians per capita annually."

On page 9 of said House amendment, after the word "tribes," in line 18, insert: "and that Emory S. Smith, David Grantham, Zoney Adams, John T. Hill, and J. J. Methvin, friends of said Indians, who have rendered to said Indians valuable services, shall each be entitled to all the benefits in land only conferred under this agreement the same as if members of said tribes."

On page 10 of said House amendment, in line 6, strike out "one year," and insert "ninety days."

And on the same page 10, line 7, after the word "treaty," insert: "Provided, That the time for making allotments shall in no event be extended beyond six months from the passage of this act."

On page 12, beginning at line 8, strike out down to and including the words "entitled thereto," in line 14.

On page 14 of said House amendment, after the word "barred," in line 15, insert: "And provided further, That in the event it shall be adjudged in the final judgment or decree rendered in said action that said Choctaw and Chickasaw nations have any right, title, or interest in or to said lands for which they should be compensated by the United States, then said sum of \$1,500,000

shall be subject to such legislation as Congress may deem proper;" and the House agreed to the same.

O. H. PLATT,
GEORGE L. SHOUP,
JAMES K. JONES,
Managers on the part of the Senate.
J. S. SHERMAN,
CHARLES CURTIS,
JOHN H. STEPHENS,
Managers on the part of the House.

The report was agreed to.

PAY OF CONGRESSIONAL EMPLOYEES.

Mr. ALDRICH. I ask that joint resolution No. 268 from the House of Representatives may be laid before the Senate.

The PRESIDING OFFICER. The Chair lays before the Senate a joint resolution which has been received from the House of Representatives, which will be read.

The joint resolution (H. J. Res. 263) to pay officers and employees of the Senate and House of Representatives their salaries for the month of June on the day following adjournment was read twice by its title.

Mr. ALDRICH. I ask unanimous consent for the present consideration of the joint resolution.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution.

The joint resolution was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

INTERNATIONAL WHITE CROSS.

Mr. LODGE submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House of Representatives to the bill (S. 258) to incorporate the National White Cross of America and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House numbered 1, and agree to the same.

That the Senate recede from its disagreement to the amendment of the House numbered 2, and agree to the same.

That the Senate recede from its disagreement to the amendment of the House numbered 3, and agree to the same.

That the Senate recede from its disagreement to the amendment of the House numbered 4, and agree to the same.

That the Senate recede from its disagreement to the amendment of the House numbered 5, and agree to the same.

That the Senate recede from its disagreement to the amendment of the House numbered 6, and agree to the same with an amendment as follows: Strike out all of section 3 and insert in lieu thereof the following:

"Sec. 3. That said National White Cross of America shall report annually to the Commissioners of the District of Columbia concerning its proceedings, together with an itemized statement of all receipts and expenditures, which shall be by them transmitted to Congress."

H. C. LODGE,
C. D. CLARK,
H. D. MONEY,
Managers on the part of the Senate.
SYDNEY E. MUDD,
S. W. SMITH,
T. W. SIMS,
Managers on the part of the House.

The report was agreed to.

EXTENSION OF COLUMBIA ROAD.

Mr. McMILLAN submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7950) for the extension of Columbia road east of Thirteenth street, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 4, 5, 6, 7, 8, and 9, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 10, and agree to the same with an amendment as follows: Add to said amendment the following:

"The Commissioners of the District of Columbia are hereby authorized and directed to make application to the supreme court of the District of Columbia holding a district court for the final ratification and confirmation of the awards of the jury for and in respect to the land condemned for the extension of Eleventh street; and said awards, when so ratified, shall be paid as provided by said act of March 3, 1899, anything in said act to the contrary notwithstanding. And in the event that the assessments for benefits levied by the jury in relation to said Eleventh street shall for any reason be declared void, the said Commissioners of the District of Columbia are authorized and directed to make application to said court for a reassessment of such benefits under and in accordance with the provisions of this act."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 11, and agree to the same with an amendment as follows: In lieu of the said amendment insert the following:

"Sec. 13. That the name of Four-and-a-half street NW, is changed to Fourth street NW."

And the Senate agree to the same.

JAMES McMILLAN,
REDFIELD PROCTOR,
THOMAS S. MARTIN,
Managers on the part of the Senate.
J. W. BABCOCK,
GEORGE A. PEARRE,
A. C. LATIMER,
Managers on the part of the House.

The report was agreed to.

FREDERICK DOUGLASS MEMORIAL ASSOCIATION.

Mr. McMILLAN submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 3597) to incorporate the Frederick Douglass Memorial and Historical Association, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment numbered 2.

That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment as follows: In lieu of section 7 of the Senate amendment insert the following, to stand as section 7 of the bill:

"SEC. 7. That when the said corporation shall have acquired title in fee simple to the whole or a part, as the case may be, of the said property known as Cedar Hill, in the village of Anacostia, in the District of Columbia, and formerly occupied as the homestead of the late Frederick Douglass, said land and premises shall be, and hereby are, declared to be exempt from all taxes and assessments for taxation so long as the same shall be used for the purposes of this incorporation."

And the Senate agree to the same.

That the sections be numbered consecutively.

JAMES MCMILLAN,
LUCIEN BAKER,
RICHARD R. KENNEY,
Managers on the part of the Senate.
SYDNEY E. MUDD,
B. T. CLAYTON,
Managers on the part of the House.

The report was agreed to.

SARAH W. ROWELL.

Mr. GALLINGER submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House of Representatives to the bill (S. 2497) granting an increase of pension to Sarah W. Rowell, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House, and agree to the same with an amendment as follows:

In line 9, after the word "receiving," insert "and \$2 per month additional on account of each of the two minor children of said Charles W. Rowell until such children shall arrive at the age of 16 years;" and the House agree to the same.

J. H. GALLINGER,
GEORGE L. SHOUP,
GEORGE TURNER,
Managers on the part of the Senate.
H. C. LOUDENSLAGER,
J. H. BROMWELL,
S. W. DAVENPORT,
Managers on the part of the House.

The report was agreed to.

ROBERT C. ROGERS.

Mr. GALLINGER submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House of Representatives to the bill (S. 1489) granting an increase of pension to Robert C. Rogers, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House and agree to an amendment as follows:

In lieu of the sum proposed by the House insert "twenty;" and the House agree to the same.

J. H. GALLINGER,
P. J. MCCUMBER,
WILLIAM LINDSAY,
Managers on the part of the Senate.
H. C. LOUDENSLAGER,
J. H. BROMWELL,
S. W. DAVENPORT,
Managers on the part of the House.

The report was agreed to.

VACANT SPACE IN THE CAPITOL.

Mr. ALDRICH submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the joint resolution (S. R. 28) relating to the use of the rooms lately occupied by the Congressional Library in the Capitol, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House, and agree to the same with an amendment as follows:

Strike out all of the matter inserted by said House amendment and insert in lieu thereof the following:

"That the rooms and space recently occupied by the Library of Congress in the Capitol building shall be divided into three stories, the third story of which shall be fitted up and used for a reference library for the Senate and House of Representatives, and that portion of the other two stories north of a line drawn east and west through the center of the Rotunda shall be used for such purpose as may be designated by the Senate of the United States, and that portion of the first and second stories south of said line shall be used for such purpose as may be designated by the House of Representatives. And such sum as is necessary to make the construction herein provided for is hereby appropriated out of any money in the Treasury not otherwise appropriated, the sum to be expended under the direction of the Architect of the Capitol."

And the House agree to the same.

NELSON W. ALDRICH,
S. B. ELKINS,
F. M. COCKRELL,
Managers on the part of the Senate.
JOHN DALZELL,
C. H. GROSVENOR,
JAMES D. RICHARDSON,
Managers on the part of the House.

The report was agreed to.

Mr. ALDRICH. To carry out the report, I offer the resolution I send to the desk, and ask for its immediate consideration.

The resolution was considered by unanimous consent, and agreed to, as follows:

Resolved, That the portion of the space recently occupied by the Congressional Library in the Capitol building which was set apart by Senate joint resolution No. 28 to be used as designated by the Senate, shall be used for committee rooms, constructed in accordance with plans prepared by the Architect of the Capitol and approved by the Committee on Rules.

ALLEYS IN WALBRIDGE SUBDIVISION.

Mr. SULLIVAN. I ask unanimous consent for the present consideration of the bill (H. R. 9827) to close all alleys in block 8 of the Walbridge subdivision of Ingleside, in the county of Washington.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ORDER OF BUSINESS.

Mr. ELKINS. I ask unanimous consent to call up the bill (S. 4906) providing for leaves of absence to certain employees of the Government.

The PRESIDENT pro tempore. The Senator from West Virginia asks unanimous consent for the present consideration of a bill, which will be read for information.

The Secretary proceeded to read the bill.

Mr. WOLCOTT. I move that the Senate proceed to the consideration of executive business.

Mr. JONES of Nevada. Before that is agreed to, I should like to report a resolution from the Committee on Contingent Expenses, and ask for its present consideration.

The PRESIDENT pro tempore. Does the Senator from Colorado withdraw his motion?

Mr. WOLCOTT. For what purpose? It was the understanding this afternoon that we should go into executive session.

Mr. ALDRICH. What bill was being read?

The PRESIDENT pro tempore. The Senator from West Virginia asked unanimous consent for the consideration of a bill.

Mr. ALDRICH. It was not read through?

The PRESIDENT pro tempore. No.

Mr. ELKINS. It was about to be read.

The PRESIDENT pro tempore. The title was read. The title will again be read.

The Secretary again read the title of the bill.

Mr. ALDRICH. I think I will have to object to the bill.

The PRESIDENT pro tempore. Objection is made.

JAMES B. LLOYD.

Mr. JONES of Nevada. I am directed by the Committee to Audit and Control the Contingent Expenses of the Senate, to whom was referred the resolution submitted by Mr. BUTLER on April 11, 1900, to report it with an amendment, and I ask for its immediate consideration.

The Senate, by unanimous consent, proceeded to consider the resolution, as follows:

Resolved, That James B. Lloyd, a citizen of the State of North Carolina, be, and he is hereby, appointed to the office of Second Acting Assistant Door-keeper of the Senate, at a compensation of \$1,800 per annum, to be paid out of the contingent fund of the Senate.

The amendment of the committee was to strike out all after the word "resolved" and insert:

That the Sergeant-at-Arms of the Senate be, and he is hereby, authorized to appoint one additional messenger, at the rate of \$1.40 per annum, to be paid out of the contingent fund of the Senate until otherwise provided for by law.

The amendment was agreed to.

The resolution as amended was agreed to.

EXECUTIVE SESSION.

Mr. WOLCOTT. I move that the Senate proceed to the consideration of executive business.

Mr. DANIEL. I hope the Senator will allow me to call up a little bill.

Mr. ALDRICH. Do it afterwards.

Mr. CHANDLER. We shall not be long.

Mr. ALDRICH. We shall be but a short time in executive session.

Mr. DANIEL. All right.

The PRESIDENT pro tempore. The question is on agreeing to the motion of the Senator from Colorado that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After twenty-five minutes spent in executive session the doors were reopened.

JOHN S. MOSBY.

Mr. DANIEL. I ask for the present consideration of the bill (S. 3305) to refer the claim of John S. Mosby against the United States for the value of certain tobacco to the Court of Claims.

The Secretary read the bill.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

Mr. KEAN. I think the bill had better lie over.

The PRESIDENT pro tempore. The Senator from New Jersey objects.

Mr. DANIEL. I hope the Senator will allow me to explain the bill. I hope I may be indulged for a moment by unanimous consent.

The PRESIDENT pro tempore. Does the Senator from New Jersey withdraw his objection?

Mr. KEAN. Yes; to allow the Senator from Virginia to explain the bill.

Mr. DANIEL. Mr. President, at the time this tobacco was taken from Colonel Mosby he was a paroled soldier and under the guaranty of the protection of the United States. It was taken from him and turned over to the Treasury. It seems to me common honesty requires that the Government ought to recognize this claim if it is proved. All the claimant asks is to be heard.

Mr. KEAN. I think I must insist on my objection.

The PRESIDENT pro tempore. The bill goes to the Calendar.

BENJAMIN F. DENNIS.

Mr. FOSTER. I ask unanimous consent for the present consideration of the bill (H. R. 9783) granting an increase of pension to Benjamin F. Dennis.

The Secretary read the bill; and, by unanimous consent, the Senate, as in Committee of the Whole, proceeded to its consideration. It proposes to place on the pension roll the name of Benjamin F. Dennis, late of Company G, Twenty-second Regiment Iowa Volunteer Infantry, and to pay him a pension of \$50 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

EMERGENCIES IN RIVER AND HARBOR WORKS.

Mr. McMILLAN. I ask leave to present a conference report on the bill (H. R. 11646) making provision for emergencies in river and harbor works, for certain surveys, and for the diversion of certain appropriations or modification of provisions heretofore made.

The PRESIDENT pro tempore. The conference report will be received.

Mr. McMILLAN. I will state that the objection made by the Senator from Ohio [Mr. FORAKER] has been remedied by striking out the provision for the preliminary survey.

The PRESIDENT pro tempore. The conference report has been read in full to the Senate. One item in it was objected to by the Senator from Ohio, and that item has been stricken from the bill. Will the Senate agree to the report?

The report was agreed to.

WINEFRED M. GOINS.

Mr. CLAY. I ask for the present consideration of the bill (H. R. 10060) granting an increase of pension to Winefred M. Goins.

The Secretary read the bill; and, by unanimous consent the Senate, as in Committee of the Whole, proceeded to its consideration. It proposes to place on the pension roll the name of Winefred M. Goins, widow of John J. Goins, late of Captains Irwin and Mercer's companies, Georgia Volunteers, war of 1812, and to pay her a pension of \$20 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

PUBLIC BUILDING AT LARAMIE, WYO.

Mr. WARREN. I ask for the consideration of the bill (S. 3335) to provide for the purchase of a site and the erection of a public building thereon at Laramie, in the State of Wyoming.

The Secretary read the bill; and, by unanimous consent, the Senate, as in Committee of the Whole, proceeded to its consideration. It directs the Secretary of the Treasury to acquire, by purchase, condemnation, or otherwise, a site and cause to be erected thereon a suitable building, including fireproof vaults, heating and ventilating apparatus, and approaches, for the use and accommodation of the United States post-office and other Government offices in the city of Laramie and State of Wyoming, the cost of the site and building, including the vaults, heating and ventilating apparatus, and approaches, complete, not to exceed \$100,000.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

DENTAL SURGEONS FOR THE ARMY.

Mr. PETTUS. I ask for the present consideration of the bill (S. 4044) to provide for the appointment of dental surgeons for service in the United States Army.

The Secretary read the bill; and, by unanimous consent, the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill was reported from the Committee on Military Affairs

with an amendment, on page 1, line 7, after the word "Army," to insert "and not exceeding 30 in all;" so as to make the bill read:

Be it enacted, etc., That the Surgeon-General of the Army, with the approval of the Secretary of War, be, and he is hereby, authorized to employ dental surgeons to serve the officers and enlisted men of the Regular and Volunteer Army, in the proportion of not to exceed 1 for every 1,000 of said Army, and not exceeding 30 in all. Said dental surgeons shall be employed as contract dental surgeons under the terms and conditions applicable to Army contract surgeons, and shall be graduates of standard medical or dental colleges, trained in the several branches of dentistry, of good moral and professional character, and shall pass a satisfactory professional examination.

Provided, That three of the number of dental surgeons to be employed shall be first appointed by the Surgeon General, with the approval of the Secretary of War, with reference to their fitness for assignment, under the direction of the Surgeon General, to the special service of conducting the examinations and supervising the operations of the others; and for such special service an extra compensation of \$30 a month will be allowed: *Provided further*, That dental college graduates now employed in the Hospital Corps who have been detailed for a period of not less than twelve months to render dental service to the Army, and who are shown by the reports of their superior officers to have rendered such service satisfactorily, may be appointed contract dental surgeons without examination.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

BATTLE MONUMENT IN NORTH CAROLINA.

Mr. BUTLER. I ask for the present consideration of the bill (S. 2370) appropriating \$10,000 to inclose and beautify the monument on the Moores Creek battlefield, North Carolina.

The Secretary proceeded to read the bill.

Mr. WOLCOTT. I object, Mr. President.

The PRESIDENT pro tempore. Objection being made, the bill goes over.

Mr. BUTLER. I ask for the usual courtesy of the Senate that I may make a brief statement before the Senator from Colorado insists upon his objection.

Mr. WOLCOTT. Certainly; I withdraw any objection I have made in order that we may have the pleasure of hearing the Senator from North Carolina.

Mr. BUTLER. Mr. President, this bill has been considered by the Committee on the Library and has been amended by it. The Committee on the Library recommends an appropriation of \$5,000. I should like the attention of the Senator who objected.

Mr. WOLCOTT. The Senator has my attention. I do not know how I can exhibit it further than I am by looking at him with entire admiration and respect.

Mr. BUTLER. Mr. President, I am content with the Senator's attention. The bill was introduced for \$10,000, the amount petitioned for the Moores Creek Battlefield Association, an incorporated association in North Carolina. After consideration, the Committee on the Library recommended that the amount be cut down to \$5,000. It is for a patriotic and worthy purpose.

I will say that this is not without precedent. Congress has done it time and again. I have here on my desk numerous precedents. Here is one of the laws that I have [exhibiting], which is on all fours with this bill. It is for the Groton Heights battlefield in Connecticut. I have here a list of precedents covering this whole sheet [exhibiting] where Congress has made appropriation in similar cases, which I will ask to be put in the RECORD without reading.

Mr. CULLOM. What does the bill provide?

Mr. BUTLER. It is for an appropriation to inclose and beautify the Moores Creek battle ground and to repair the monument already erected on it. This was one of the first battles of the Revolutionary war.

Mr. WOLCOTT. I desire to ask the Senator from North Carolina the date of the first battle of the Revolution, at Moores Creek.

Mr. BUTLER. Its date was some time in the latter part of February, 1776.

Mr. WOLCOTT. On what day of the week?

Mr. BUTLER. I have not the exact day of the month on my tongue just now. I think it was the 27th. I will put it in the RECORD for the Senator to read in the morning deliberately.

Mr. WOLCOTT. Very well, and I will perhaps remove any objection to-morrow, but to-night I must insist upon it.

The PRESIDENT pro tempore. Objection being made, the bill goes over.

PAY OF ASSISTANT SURGEONS.

Mr. HAWLEY. I wish to ask a special favor of the Senate. There are three bills here much desired by the War Department.

I should like to have them acted on in succession. I hope there will be no objection, and let me get them off my mind.

The PRESIDENT pro tempore. The Senator from Connecticut asks for the present consideration of the bill (S. 3054) to amend section 12 of an act entitled "An act for increasing the efficiency of the Army of the United States, and for other purposes," approved March 2, 1890.

The Secretary read the bill; and by unanimous consent the Senate, as in Committee of the Whole, proceeded to its consideration. It provides that assistant surgeons in the Volunteer Army of the United States commissioned by the President as captains, in accordance with the provisions of an act for increasing the efficiency of the Army of the United States, and for other purposes, approved March 2, 1890, shall be entitled to the pay of a "captain, mounted," from the date of their acceptance of such commission, as prescribed by law.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

ADJUTANT-GENERAL OF DISTRICT MILITIA.

Mr. HAWLEY. I ask the Senate to proceed to the consideration of the bill (H. R. 8925) to authorize the detail of an officer of the retired list of the Army as adjutant-general of the District of Columbia militia.

The Secretary read the bill; and by unanimous consent the Senate, as in Committee of the Whole, proceeded to its consideration. It provides that the President of the United States may detail as adjutant-general of the District of Columbia militia any retired officer of the Army who may be nominated to the President by the brigadier-general commanding the District of Columbia militia, said retired officer while so detailed to have the active-service pay and allowances of his rank in the Regular Army.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

RETIREMENT OF CERTAIN ARMY OFFICERS.

Mr. HAWLEY. I ask the Senate to proceed to the consideration of the bill (S. 4869) providing for the retirement of certain officers of the Army.

The Secretary read the bill.

The PRESIDENT pro tempore. Is there objection?

Mr. DANIEL. I object.

The PRESIDENT pro tempore. Objection being made the bill goes over.

Mr. DANIEL subsequently said: I misunderstood the bill to which I objected a few moments ago.

Mr. HAWLEY. The Senator from Virginia withdraws his objection to the bill that was read.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It provides that when, in the opinion of the President, the interests of the Army will be benefited thereby, he is empowered to place upon the retired list by Executive order any officer who has been suspended from duty, either by sentence of court-martial, or by virtue of an Executive order in mitigation of such sentence, for a period extending to or within one year of the time of his compulsory retirement for age.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

EXTRADITION WITH CUBA.

Mr. FAIRBANKS submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 11719) amending section 5270 of the Revised Statutes of the United States, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments thereto and agree to the said bill as it passed the House with the following amendments thereto, viz:

1. Page 1, line 7, after "hy." insert "or under the contract of."

2. Page 1, line 9, strike out the words "any of," and after the word "therein," in line 9, insert the following: "by the commission of any of the following offenses, namely: Murder and assault with intent to commit murder; counterfeiting or altering money, or uttering or bringing into circulation counterfeit or altered money; counterfeiting certificates or coupons of public indebtedness, bank notes, or other instruments of public credit, and the utterance or circulation of the same; forging or altering, and uttering what is forged or altered; embezzlement or criminal malversation of the public funds, committed by public officers, employees, or depositaries; larceny or embezzlement of an amount not less than \$100 in value; robbery; burglary, defined to be the breaking and entering by nighttime into the house of another person with intent to commit a felony therein, and the act of breaking and entering the house or building of another, whether in the day or night time, with the intent to commit felony therein; the act of entering, or of breaking and entering, the offices of the Government and public authorities, or the offices of banks, banking houses, savings banks, trust companies, insurance or other companies, with the intent to commit a felony therein; perjury or the subornation of perjury, rape, arson, piracy by the law of nations, murder, assault with intent to kill, and manslaughter committed on the high seas on board a ship owned by or in control of citizens or residents of such foreign country or territory and not under the flag of the United States or of some other government; malicious destruction of or attempt to destroy railways, trams, vessels, bridges, dwellings, public edifices, or other buildings, when the act endangers human life."

3. Page 1, line 11, after the word "States," insert the following: "or to any Territory thereof or to the District of Columbia."

4. Page 1, line 14, strike out the word "authorities" and insert in lieu thereof the following: "military governor or other chief executive officer."

5. Page 2, line 7, strike out the words "or a justice;" and page 2, line 10, after the word "charged," insert the following: "And provided further, That no return or surrender shall be made of any person charged with the commission of an offense of a political nature;" and page 2, line 13, strike out the word "guarantee" and insert in lieu thereof the word "secure;" so that the bill when amended will read as hereinafter stated.

And that the House also agree to said new amendments to the bill as it passed the House.

Said bill as amended will read as per annexed copy.

CHARLES W. FAIRBANKS,
GEORGE F. HOAR,
WILLIAM LINDSAY,
Managers on the part of the Senate.
GEORGE W. RAY,
JULIUS KAHN,
Managers on the part of the House.

The report was agreed to.

BONDS FOR WATERWORKS AT TUCSON, ARIZ.

Mr. HEITFELD. I ask unanimous consent for the present consideration of the bill (H. R. 4468) to authorize the city of Tucson, Ariz., to issue bonds for waterworks, and for other purposes.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

The preamble was agreed to.

ROBERT A. RAGAN.

Mr. TELLER. I ask unanimous consent for the present consideration of the bill (H. R. 1409) for the relief of Robert A. Ragan.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It directs the Secretary of the Treasury to pay to Robert A. Ragan, of Washington, D. C., his heirs or legal representatives, \$5,000, in full and final settlement of his claim for damages sustained by reason of the death of his son, William F. Ragan, from injuries received in the Ford's Theater disaster, June 9, 1893.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

E. B. CROZIER.

Mr. BATE. I ask unanimous consent for the consideration at this time of the bill (H. R. 1871) for the relief of E. B. Crozier, executrix of the last will of Dr. C. W. Crozier, of Tennessee. It is a very short bill, involving only \$195, and I think it will take but a minute.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill named by the Senator from Tennessee?

Mr. WOLCOTT. I object.

Mr. BATE. I wish the Senator would let me explain the bill. It is a House bill, and is very short.

Mr. WOLCOTT. I shall be very glad to have the Senator explain, but I shall object to the bill when his explanation is concluded.

Mr. BATE. Then I will not explain it.

The PRESIDENT pro tempore. Objection is made.

JENNIE C. TAYLOR.

Mr. KENNEY. I ask unanimous consent for the consideration at this time of the bill (H. R. 5508) granting an increase of pension to Jennie C. Taylor.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to place on the pension roll the name of Jennie C. Taylor, widow of Richard G. Taylor, late surgeon, Thirty-fifth Regiment New Jersey Volunteer Infantry, and to pay her a pension of \$25 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MARTIN O'CONNOR.

Mr. GALLINGER. I venture to ask unanimous consent on behalf of two Senators who have appealed to me to secure the passage of two very destitute cases. They are pension bills and will pass very quickly. The first is the bill (H. R. 10618) granting an increase of pension to Martin O'Connor. I ask unanimous consent for its immediate consideration.

There being no objection, the Senate, as in Committee of the Whole, proceeded to the consideration of the bill. It proposes to place on the pension roll the name of Martin O'Connor, late of Troop H, Second Regiment United States Cavalry, and sergeant, general service, United States Army, and to pay him a pension of \$50 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

KEZIAH FANSLER.

Mr. GALLINGER. I now ask unanimous consent for the consideration of the bill (S. 3343) granting an increase of pension to Keziah Fausler.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Keziah Fausler, widow of George W. Fausler, late of Company B, Fourth Regiment Missouri State Militia Volunteer

Cavalry, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill granting an increase of pension to Keziah Fansler."

JOSEPH W. ETHERIDGE AND JOHN M. RICHARDSON.

Mr. McBRIDE. I ask unanimous consent for the present consideration of the bill (S. 2989) for the relief of the widow and children of the late Joseph W. Etheridge and the widow of the late John M. Richardson.

The PRESIDENT pro tempore. The Senator from Oregon asks unanimous consent for the present consideration of a bill, which will be read for information.

The bill was read.

Mr. ALDRICH. Does that bill propose to give a pension to persons in the Life-Saving Service?

Mr. DANIEL. I object to the consideration of the bill, Mr. President.

The PRESIDENT pro tempore. Objection is made.

MILITARY ACADEMY APPROPRIATION BILL.

Mr. SEWELL submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 11538) making appropriations for the support of the Military Academy for the fiscal year ending June 30, 1901, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 3, 4, 5, 10, and 12.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 6, 7, 9, 11, 14, 15, 16, 17, and 19; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 8, and agree to the same with an amendment as follows:

Strike out the closing words of said amendment, to wit: "fifty-three dollars and sixty-nine" and insert in lieu thereof the following: "five dollars and seventy-nine;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 13, and agree to the same with an amendment as follows:

Strike out the words "and twenty," in the last line of that paragraph; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 18, and agree to the same with an amendment as follows:

After the words "Major-General" in the first line of said amendment insert the words "of the line;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 20, and agree to the same with an amendment as follows:

Strike out all of the matter inserted by said amendment and insert in lieu thereof the following:

"SEC. 4. That the corps of cadets shall consist of one from each Congressional district, one from each Territory, one from the District of Columbia, two from each State at large, and thirty from the United States at large. They shall be appointed by the President, and shall, with the exception of the thirty cadets appointed from the United States at large, be actual residents of the Congressional or Territorial districts, or of the District of Columbia, or of the States, respectively, from which they purport to be appointed."

W. J. SEWELL,

F. E. WARREN,

W. A. HARRIS,

Managers on the part of the Senate.

J. A. T. HULL,

W. P. BROWNLOW,

Managers on the part of the House.

The report was agreed to.

SUNDY CIVIL APPROPRIATION BILL.

Mr. ALLISON. I ask the Chair to lay before the Senate the conference report on the sundy civil appropriation bill.

The PRESIDENT pro tempore. The Chair lays before the Senate the conference report referred to by the Senator from Iowa, which will be read.

The Secretary read the report, as follows:

The committee of conference on the disagreeing votes of the two Houses on certain amendments of the Senate to the bill (H. R. 11212) making appropriations for sundy civil expenses of the Government for the fiscal year ending June 30, 1901, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 2, 4, 18, 19, 20, 23, 36, 64, 98, 113, 123, 124, 125, 134, 153, 158, 159, 168, 169, and 170.

That the House recede from its disagreement to the amendments of the Senate numbered 9, 15, 16, 17, 22, 27, 96, 101, 110, 115, 130, 142, 143, 144, 157, and 179; and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 14, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$40,000" and add to the end of the amended paragraph the following: " ; and the Secretary of the Treasury is hereby authorized to enter into a contract for the construction of said light and fog-signal station at a total cost not exceeding \$80,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 24, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"Light-house and fog-signal stations in Alaskan waters: To enable the Secretary of the Treasury to establish, under the direction and supervision of the Light-House Board, light-house and fog-signal stations in Alaskan waters, \$100,000, or so much thereof as may be necessary."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 73, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "Under the supervision and direction of the Secretary of the Treasury;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 62, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"That so much of section 4 of the act approved March 3, 1899, entitled 'An act to amend an act entitled "An act to reimburse the governors of States and Territories for expenses incurred by them in aiding the United States to raise and organize and supply and equip the Volunteer Army of the United States in the existing war with Spain,"' as authorizes or directs the Secretary of the Treasury to institute any act or proceeding which he may consider advisable against any State or its representatives to secure the payment of the principal and interest of any bonds or stocks issued or guaranteed by said State the ownership of which is vested in the United States is hereby repealed, and the Secretary of the Treasury is hereby directed to discontinue and dismiss any suits, actions, or proceedings which have been begun under the authority of said section 4."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 93, and agree to the same with an amendment as follows: Strike out the matter inserted by said amendment and insert in lieu thereof the following:

"That all sections of land made in lieu of a tract covered by an unperfected bona fide claim or by a patent included within a public forest reservation as provided in the act of June 4, 1897, entitled 'An act making appropriations for sundy civil expenses of the Government for the fiscal year ending June 30, 1898, and for other purposes,' shall be confined to vacant, surveyed, nonmineral public lands which are subject to homestead entry not exceeding in area the tract covered by such claim or patent: Provided, That nothing herein contained shall be construed to affect the rights of those who, previous to October 1, 1900, shall have delivered to the United States deeds for lands within forest reservations and made application for specific tracts of lands in lieu thereof."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 105, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$100,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 106, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$855,100;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 108, and agree to the same with an amendment as follows: After the word "improvement," in the matter inserted by said amendment, insert the words "and extension;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 109, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$10,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 114, and agree to the same with an amendment as follows: Before the word "For" in line 1 of said amendment, insert the following: "Schuylkill Arsenal, Philadelphia, Pa.;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 117, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"For continuing plans for extending the Executive Mansion, prepared in the office of the Engineer officer in charge of public buildings and grounds, for completion of drawings, model, and specifications, and for each and every purpose connected therewith, \$6,000, or so much thereof as may be necessary; the Chief of Engineers of the United States Army shall have the employment of all persons connected with this work."

"The Chief of Engineers of the United States Army is authorized to make an examination and to report to Congress on the first Monday in December, 1900, plans for the treatment of that section of the District of Columbia situated south of Pennsylvania avenue and north of B street SW., and for a suitable connection between the Potomac and the Zoological parks; and in making such examination and plans he is authorized to employ a landscape architect of conspicuous ability in his profession; for services and expenses incident to said examination and report the sum of \$1,000 is hereby appropriated."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 120, 121, and 122, and agree to the same with an amendment as follows: Strike out the amended paragraphs and on page 85 of the bill strike out lines 22, 23, 24, and 25, and on page 86 of the bill strike out lines 5 and 6, and after the word "expenditure," in line 21 on page 85 of the bill, insert the following: " ; and out of the foregoing sum of \$1,000,000 there shall be expended \$30,000 for repairs of barracks and quarters for troops at Fort Leavenworth, Kans.; \$40,000 toward construction of water and sewer system and for roads, walks, and grading at military post at Bismarck, N. Dak.; \$30,000 toward construction of additional stables at Fort Riley, Kans.; \$50,000 for buildings and other necessary improvements at the military post of Fort Meade, S. Dak.; \$50,000 for continuing work of rebuilding quarters and for rebuilding regimental guardhouse at Fort D. A. Russell, Wyo.; and \$50,000, or so much thereof as may be necessary, for acquiring by purchase or condemnation the land in the square surrounding Fort Constitution, at Newcastle, N. H., to be used for barracks and quarters for troops;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 130, and agree to the same with an amendment as follows: Before the word "in," where it first occurs in line 2 of said amendment, insert the words "in his discretion;" and the Senate agree to the same.

Amendments numbered 140 and 141: That the Senate recede from its disagreement to the first amendment of the House to Senate amendments numbered 140 and 141, striking out the words "five hundred" in said amendment numbered 141 and inserting in lieu thereof "two hundred and fifty," and agree to the same, and that the House recede from its second amendment thereto.

That the House recede from its disagreement to the amendment of the Senate numbered 145, and agree to the same with an amendment as follows: In line 2 of said amendment strike out the words "and improvement;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 152, and agree to the same with an amendment as follows: In line 10 of said amendment, after the word "Congress," insert the words "for its consideration;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 155, and agree to the same with an amendment as follows: Restore the matter stricken out by said amendment, amended as follows: On page 115 of the bill, in line 25, after the word "Department," insert the words "presented and filed hereafter;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the

Senate numbered 156, and agree to the same with an amendment as follows: Strike out all after the word "Navy," in line 4, down to and including line 8 of said amendment; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 177, and agree to the same with an amendment as follows: Restore the matter stricken out by said amendment, amended as follows: On page 128 of the bill, at the end of line 22, insert the following:

"For the purpose of executing the requirements of this paragraph the Clerk of the House is authorized to employ, with the approval of the Committee on Accounts, necessary laborers and cartage, at a total cost not to exceed \$1,500, to be paid out of the contingent fund of the House."

And the Senate agree to the same.

On the amendment of the Senate numbered 81 the committee of conference have been unable to agree.

W. B. ALLISON,
EUGENE HALE,
F. M. COCKRELL,
Managers on the part of the Senate.
J. G. CANNON,
W. H. MOODY,
THOMAS C. MCRAE,
Managers on the part of the House.

During the reading of the report,

Mr. PETTIGREW. I should like to understand the paragraph in relation to nonmineral public lands. As I understand it, as read from the Secretary's desk, it permits a continued exchange by the land-grant railroad companies of the worthless lands in the forest reservations for the best land the Government has. Is that correct?

Mr. ALLISON. I do not so understand it. The amendment provides for the exchange of surveyed lands only, and not of unsurveyed lands.

Mr. PETTIGREW. But it allows the exchange?

Mr. ALLISON. It allows the exchange of surveyed lands.

Mr. PETTIGREW. Mr. President, this conference report ought to be rejected, for this reason: Under its provisions lands where a railroad company have cut off all the timber from the land on the snow-capped peaks of the mountains, if they are within a forest reservation, can be exchanged for the best lands the Government owns, acre for acre for timber lands. Hundreds of thousands of acres have already been exchanged, and yet, although the Senate placed upon this bill an amendment which would stop that practice, the conference committee brings in a report here to continue it.

Mr. WOLCOTT. I should like to ask the Senator from South Dakota if he knows of any snow-capped peaks that are surveyed?

Mr. PETTIGREW. They exchange unsurveyed snow-capped peaks for the surveyed lands.

Mr. WOLCOTT. No, Mr. President, there are no snow-capped peaks in this business. [Laughter.]

Mr. PETTIGREW. Mount Rainier, in the State of Washington, which is perpetually covered with snow, and where the land is absolutely valueless, has been exchanged already, acre for acre, for the best timber lands in Washington and Oregon and other States. Under the provision of this amendment as reported by the conference committee the other lands in forest reservations belonging to railroad land-grant companies can be exchanged. There are hundreds and thousands of acres of those lands. It is simply an enlargement of their grant to that extent, because the lands they propose to exchange are absolutely worthless, and the lands they propose to take up are the best lands the Government has.

Mr. HAWLEY. May I ask the Senator a question?

Mr. PETTIGREW. Yes.

Mr. HAWLEY. I do not see how it happens that hundreds of thousands of acres of this worthless snow-capped land were taken by these men in the first place. How did they get them to exchange?

Mr. PETTIGREW. Well, Mr. President, we gave a land grant across the continent to these railroads, they taking every odd section within certain limits. Of course some of these lands embrace the worthless lands on the peaks of mountains, and these forest reservations were created not by an inspection of the land to ascertain whether they really were forest lands or not, and thus these worthless lands were embraced. Now, the proposition is to enlarge the grant by giving the best land the Government has, acre for acre, for this absolutely worthless land. The Senate placed upon this bill an amendment which would prevent these exchanges until these lands could be classified, and the conference committee bring in an amendment here which continues the practice.

The amendment is absolutely inconsequential. It accomplishes no purpose, and amounts to nothing, and our conferees have yielded to the request of the lobby sent here by the railroad company in order that their grants may be enlarged millions upon millions of dollars. There is no possible chance to avoid that conclusion; no way to get around it.

If the Senate want to do it, they are in possession of the facts.

Mr. ALLISON. Mr. President, I only wish to say one word respecting this amendment. This amendment was inserted on the floor of the Senate on the motion of the Senator from South Dakota [Mr. PETTIGREW]. We found a variety of opinion as re-

spects this question of the public lands. The Committee on Public Lands of this body, which have been in session now for nearly seven months, have made no report upon this subject. I understand they only took it up very recently.

The Committee on Public Lands in the House of Representatives made a report on the 23d day of May, substantially the report which we have incorporated into this bill. It was the best thing the conference could do with a matter thrust, properly, I have no doubt, into this bill for the consideration of the Appropriations Committee, who did not have full information upon the subject, and were obliged to deal with it as best they could under the circumstances.

Mr. PETTIGREW. I should like to ask the chairman of the Committee on Appropriations if the Secretary of the Interior did not think the law should be entirely repealed?

Mr. ALLISON. The Secretary did.

Mr. PETTIGREW. Did he not think there were great frauds being practiced under it?

Mr. ALLISON. I have no doubt that is all true, but that is a subject we can not deal with now.

Mr. PETTIGREW. The Senate did deal with it and put on an amendment.

Mr. ALLISON. Certainly; and the House of Representatives, with all these facts before them, through their committee, prepared and reported to the House substantially this amendment. The House conferees insisted that that amendment should go on or that the Senate provision should go out; and we yielded to that request.

The PRESIDING OFFICER. The Chair is informed that the reading of the conference report has not been concluded. The Secretary will resume the reading.

After the reading of the report had been concluded,

Mr. WOLCOTT. What is the item on which the conferees can not agree?

Mr. ALLISON. It is in respect to the Nevada State claim.

Mr. PETTIGREW. I should like to know of the chairman what was done with the item with regard to the appropriation for the improvement of the Missouri River at Sioux City, Iowa? Does that remain in as passed by the Senate?

Mr. ALLISON. That remains in as passed by the Senate.

Mr. PETTIGREW. What was done with amendment 178, with respect to the Industrial Commission?

Mr. ALLISON. That was agreed to at a former conference.

Mr. PETTIGREW. Without change?

Mr. ALLISON. There was some change in it. I think one provision was stricken out, that which required a certain number of the commission to be of one political party.

Mr. PETTIGREW. That is, as it now stands there is no change with regard to the law requiring that the board shall be nonpartisan.

Mr. ALLISON. The law stands as originally passed. There is no change in that law.

Mr. PETTIGREW. Then, they are required simply to enforce the present law?

Mr. ALLISON. The present law.

Mr. PETTIGREW. And under that they have appointed Republicans to all civil positions in the commission, as I understand.

Mr. ALLISON. I think when vacancies occur now it will be understood that some Democrats will be appointed.

Mr. PETTIGREW. Then the provision remains in requiring the printing of their reports?

Mr. ALLISON. That remains.

Mr. WOLCOTT. I desire to ask what the difference was about the State of Nevada claim as to which the conferees can not agree? I should like to have the matter of disagreement reported to the Senate.

Mr. ALLISON. I will say briefly to the Senator—

Mr. WOLCOTT. I hope the Senator will not be too brief.

Mr. ALLISON. I will state it so that the Senator can apprehend it, because he does not require a very elaborate statement in order to apprehend it.

The State of Nevada has for a long time had a claim against the United States which, on motion of the Senator from Nevada [Mr. STEWART], a few days ago was inserted in the bill. The House conferees were not willing to agree to it, but they were willing to test the sense of the House upon the subject, and therefore it is in disagreement in order that the House may have an opportunity of voting upon it, which they have not yet done. I believe that is the situation.

The PRESIDING OFFICER. The question is on agreeing to the report of the committee of conference.

Mr. TURNER. Mr. President, I do not see any necessity for haste in these matters. It seems to me that this is a remarkable procedure, a remarkable manner of legislating. I think we had better go slowly. We have got the entire year before us. I do not see why we should remain in session late into the morning

because somebody thinks we ought to adjourn to-morrow at 13 o'clock. I think we ought to stay here until we pass a number of other bills, including the bill for the appointment of an appellate court for the determination of pension cases introduced this morning; and since I have mentioned that subject I want to refer to one matter which occurred in the debate this morning.

The honorable junior Senator from New Hampshire [Mr. GALLINGER] during the course of that debate remarked that he did not believe that Capt. George H. Patrick, who had forwarded to me the pension court of appeals bill, which I had the honor to introduce this morning, was the accredited representative of the Grand Army of the Republic, and, if I remember aright, he said he did not believe that that bill had the sanction of that great organization. I hold in my hand General Order No. 4, Headquarters Grand Army of the Republic, Independence Hall, Philadelphia, December 29, 1899, signed by Commander Albert D. Shaw, commander in chief; Thomas J. Stewart, adjutant-general, and among other things, this order provides:

XI. Comrade George H. Patrick, of Post No. 6, Department of Alabama (post-office address Washington, D. C.), is hereby appointed a special aid-de-camp on the staff of the commander in chief and directed to aid and encourage such national legislation as may be necessary and properly helpful to the surviving veterans of the war.

Mr. President, I hold in my hand an original letter from Commander in Chief Shaw, dated the second day of the present month, in which he uses an expression I will read. This letter is directed to "Dear Comrade Patrick:"

I have heard nothing about our pension court of appeals matter. I am anxious about the bill going in.

I also hold in my hand a letter, dated June 4 of the present year, from R. B. Brown, who I presume is known to the distinguished Senator from New Hampshire as one of the representatives of the Grand Army of the Republic and a member of its committee on pensions, and I believe the chairman of that committee, with whom the Senator from New Hampshire has had some correspondence. This letter is also addressed to Colonel Patrick, and in it the writer says:

I regret very much that Senator GALLINGER is to antagonize the bill. I hope we may win him over to our side of the case. I presume the matter is in the mill, and I know full well that you will push it with all vigor.

Mr. President, if there were any doubt upon these papers which I have read to the Senate of the authority of Colonel Patrick to represent the Grand Army of the Republic in the matter of this legislation, it is removed by turning to the report of the Committee on Pensions, made by the distinguished Senator from New Hampshire [Mr. GALLINGER], dated December 13, 1899, in which he himself recognizes Colonel Patrick as the representative of the Grand Army. Among other things the distinguished Senator, in this report, speaking about the meetings of the committee, says:

Subsequently, to wit, on the 29th day of November, a subcommittee of the Committee on Pensions, as provided in the resolution, consisting of Senators GALLINGER and HANSEBROUGH, met in the city of Washington and took statements from the Secretary of the Interior, the Assistant Secretary of the Interior, the Commissioner of Pensions, the First Deputy Commissioner of Pensions, and Col. George H. Patrick, representing the Grand Army of the Republic.

And in the testimony taken before that subcommittee I find the following question directed to Colonel Patrick by the chairman of the committee, the distinguished Senator from New Hampshire [Mr. GALLINGER]:

The CHAIRMAN. Noticing recently that a committee of the Grand Army of the Republic had called on the President of the United States and the Secretary of the Interior and made certain representations concerning the matter of pensions, I took the liberty to write to the chairman of the committee, Col. R. B. Brown, of Zanesville, Ohio, saying to him that this subcommittee would be in Washington for the purpose of making some inquiries under a resolution which the Senate passed during the last session, and asking him if he would like to be present to make a statement. He replied that he could not well be in Washington at the hearing, but that he felt sure that you would be willing to represent the Grand Army. Are you willing, Mr. Patrick, to make a statement to the committee touching the matters involved in this inquiry?

I also hold in my hand the following letter:

COMMITTEE ON PENSIONS, UNITED STATES SENATE,
Washington, D. C., December 1, 1899.

DEAR SIR: I am directed by Senator GALLINGER to inform you that the subcommittee of the Committee on Pensions, appointed for the purpose of examining all general pension laws on the statute book, will hold a meeting in their committee room at the Capitol to-morrow forenoon at 11:30 o'clock, at which time they will be pleased to listen to any suggestions which you may have to offer.

I have the honor to be, very respectfully yours,

JOHN H. WALKER, Clerk.

GEORGE H. PATRICK, Esq.
1420 New York Avenue NW, Washington, D. C.

Mr. President, in view of these documents which I have read to the Senate, I think it is a proper observation to say that the distinguished Senator from New Hampshire, when he declared this morning that he did not believe that Captain Patrick was the accredited representative of the Grand Army of the Republic in the matter of this legislation, was disingenuous, and it is due to that distinguished soldier that he should make a public apology in the

Senate to him for this calumny which he uttered against him in that capacity.

The PRESIDING OFFICER. The question is on agreeing to the report of the committee of conference.

The report was agreed to.

Mr. ALLISON. I move that the Senate still further insist upon its amendment numbered 81.

Mr. TILLMAN. I should like to ask the Senator from Iowa what was the attitude of the House on the amendment proposing a settlement of the States' debt, including the debt of South Carolina and Virginia. Of course I see it has gone out. They have repealed the act authorizing suit. I wish to know just what the basis of the opposition of the House was.

Mr. ALLISON. The first objection the House made was that it did not know and did not have time to study the cases of South Carolina and Virginia as they ought to be studied before they could agree to them, and hence they objected, because they thought these State claims should all be considered, and if we considered one of them on an appropriation bill the others ought to be considered at the same time.

We made various propositions to the House conferees. We had, as the Senator knows, in the amendment originally, other States coupled with South Carolina and Virginia. We were willing to yield the claims of other States if we could have a settlement of the claims of these two States, because we knew that they were nearer a condition of settlement, without going outside of public documents and archives in the various departments of the Government. But they would not agree to either. They were willing, however, to repeal the provision of the act of March 3, 1899, which forced suit against these States on account of the indebtedness to the United States. That is in brief the situation. Of course there were a great many things said on both sides about it.

Mr. TILLMAN. I presume, of course, that the claim of the House conferees that they did not have time to examine these claims really had no foundation as the basis of their action, because they were not expected to examine the claims. The Secretary of War and the Secretary of the Treasury under the amendment were authorized to make the examination and report, and it does seem to me that the House conferees could have had no legitimate objection to having the Cabinet officers, who are in charge of the Government's business, take up this matter and investigate it, and determine the question upon some base of equity and law or reason and justice, and report back to Congress. But of course I understand they have not done it.

I have a bill here on the Calendar providing for the State of South Carolina separate and apart from any others. I have been industriously working at this matter the whole of the session, by resolutions of one kind and another sent to the Secretary of the Treasury, calling on him to report on the various phases of the matter, and I ask unanimous consent to call up the bill (S. 4607) to provide for the settlement of accounts between the United States and the State of South Carolina.

Of course, it can only be passed here by the Senate and then get before a committee of the House, and although some of the members will not take the time to investigate these matters for themselves and then will not let the Secretary of War or the Secretary of the Treasury investigate them and report to Congress, I hope they will at least consider these cases, or if they will not consider them, let the country know how and why it is that a Southern State can not get any consideration here at all.

The PRESIDING OFFICER. The Senator from South Carolina asks present consideration of the bill indicated by him. Is there objection?

Mr. PENROSE. I object.

Mr. ALLISON. I want the Senator to understand that the chief objection made by the House conferees was that if we entered upon this subject we ought to enter upon it with respect to all States that have claims.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Iowa, that the Senate still further insist upon its amendment No. 81.

The motion was agreed to.

ACCOUNTS OF SOUTH CAROLINA AND THE UNITED STATES.

Mr. TILLMAN. I ask unanimous consent to call up the bill (S. 4607) to provide for the settlement of accounts between the United States and the State of South Carolina.

Mr. PENROSE. I object.

Mr. TILLMAN. Then I move to proceed to its consideration. The PRESIDING OFFICER. The Senator from South Carolina moves that the Senate proceed to the consideration of a bill, which will be read for information.

Mr. PENROSE. I object on the ground that the motion is not in order.

The PRESIDING OFFICER. The Chair will have to overrule the point of order. The bill will be read for information.

The Secretary read the bill.

THE PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from South Carolina that the Senate proceed to the consideration of the bill which has been read.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to its consideration.

MR. PETTIGREW. I should like to know whether we have displaced the Philippine measure by this movement?

THE PRESIDING OFFICER. Unquestionably, the Chair will state.

MR. PETTIGREW. I make the point of the absence of a quorum.

THE PRESIDING OFFICER. The Senator from South Dakota suggests the absence of a quorum. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Allen,	Deboe,	Kean,	Scott,
Allison,	Elkins,	Kenney,	Sewell,
Bacon,	Fairbanks,	Lindsay,	Shoup,
Bard,	Foraker,	Lodge,	Spooner,
Bate,	Frye,	McBride,	Sullivan,
Berry,	Gallinger,	McComas,	Taliaferro,
Beveridge,	Hanna,	McCumber,	Thurston,
Butler,	Hansbrough,	McMillan,	Tillman,
Carter,	Harris,	Nelson,	Turner,
Chandler,	Hawley,	Penrose,	Warren,
Clark,	Heitfeld,	Perkins,	Wetmore,
Clay,	Jones, Ark.	Platt, Conn.	Wolcott,
Cullom,	Jones, Nev.	Quarles,	

THE PRESIDING OFFICER. Fifty-one Senators having answered to their names, a quorum is present. The bill is in the Senate as in Committee of the Whole and open to amendment.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had passed the bill (S. 4075) to amend an act to prohibit the passage of special or local laws in the Territories, to limit the Territorial indebtedness, and so forth.

The message also announced that the House had agreed to the amendments of the Senate to the following bills:

A bill (H. R. 602) granting an increase of pension to Charles H. Adams;

A bill (H. R. 504) granting a pension to Byron F. Davis;

A bill (H. R. 875) granting a pension to Alice de Vecchy; and

A bill (H. R. 10152) to provide for the sale of isolated and disconnected tracts or parcels of Osage trust and diminished lands in the State of Kansas.

The message further announced that the House had passed the following bills; in which it requests the concurrence of the Senate:

A bill (H. R. 4915) to amend the seventh section of an act entitled "An act to establish circuit court of appeals, and to define and regulate in certain cases the jurisdiction of the courts of the United States, and for other purposes," approved March 3, 1891;

A bill (H. R. 10701) to amend section 6, chapter 119, United States Statutes at Large numbered 24;

A bill (H. R. 11008) authorizing the Solicitor of the Treasury to quitclaim and release certain title and interest of the United States to Mrs. Lutie N. Nowlin;

A bill (H. R. 11588) permitting the building of a dam across the Osage River at the city of Warsaw, Benton County, Mo.; and

A bill (H. R. 11978) relating to rights of way through certain parks, reservations, and other public lands.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 8665) authorizing and requiring the Metropolitan Railroad Company to extend its lines on old Sixteenth street.

The message further announced that the House insists upon its amendment to the bill (S. 351) granting an increase of pension to Samuel S. White, disagreed to by the Senate, agrees to the conference asked for by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. LOUDENSLAGER, Mr. BROMWELL, and Mr. S. A. DAVENPORT, managers at the conference on the part of the House.

The message also announced that the House still further insists upon its amendments to the amendments of the Senate Nos. 9 and 58, disagreed to by the Senate, still further insists upon its disagreement to Senate amendments Nos. 50, 51, 52, and 53 to the bill (H. R. 10450) making appropriations for the naval service for the fiscal year ending June 30, 1901, asks a further conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. FOSS, Mr. DAYTON, and Mr. CUMMINGS managers at the conference on the part of the House.

ENROLLED BILL SIGNED.

The message further announced that the Speaker of the House had signed the enrolled bill (S. 3296) to provide for the establish-

ment of a port of delivery at Worcester, Mass.; and it was thereupon signed by the President pro tempore.

METROPOLITAN RAILROAD EXTENSION.

MR. McMILLAN submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 8665) authorizing and requiring the Metropolitan Railroad Company to extend its lines on old Sixteenth street, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendments of the Senate numbered 1, 3, 4, 6, 7, 8, 9, 10, 11, 12, 13, 14, and 15, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same with an amendment as follows: Strike out all of section 2 of the bill and insert the following, to stand as section 2:

"SEC. 2. That before such extension shall be constructed Columbia road shall be widened to a width of 100 feet, the present Sixteenth street shall be widened to a width of 85 feet from Columbia road to Park street, and in such widening the building restriction line on the eastern side of said street shall be taken as far as practicable to form the eastern side of said street when widened, and also sufficient land shall be acquired at the northwesterly corner of Columbia road and Sixteenth street so as to allow the street railway tracks to be laid wholly without the roadway of Sixteenth street as extended according to the highway extension plan, all in accordance with plans to be prepared by the Commissioners of the District of Columbia; and the said Commissioners shall institute in the supreme court of the District of Columbia, sitting as a district court, by petition, particularly describing the lands to be taken, a proceeding in rem to condemn the land that may be necessary for the extension of Columbia road and the present Sixteenth street as herein provided, with a width of 100 feet: *Provided*, That the said Commissioners are authorized and empowered to locate the lines of the railroad of said company within the area so to be acquired as aforesaid: *And provided further*, That the operation of the cars of the Metropolitan Railroad within the Capitol grounds shall be under the control of the Architect of the Capitol: *And provided further*, That no tracks shall be laid on any portion of the roadway of Sixteenth street as extended according to the highway extension plans."

That the House recede from its disagreement to the amendment of the Senate numbered 5, and agree to the same with an amendment as follows: In the proviso of said amendment, after the word "assessed," insert the following: "against those pieces or parcels of land on each side of said Columbia road and the present Sixteenth street NW., along those portions of said streets that are to be widened, and also on any or all pieces or parcels of land which will be benefited by the extension of said Columbia road and the present Sixteenth street NW., as said jury may find said pieces or parcels of land will be benefited; and the Senate agree to the same."

JAMES McMILLAN,

J. H. GALLINGER,

THOMAS S. MARTIN,

Managers on the part of the Senate.

J. W. BABCOCK,

GEORGE A. PIERCE,

A. C. LATIMER,

Managers on the part of the House.

The report was agreed to.

HOUSE BILLS REFERRED.

The bill (H. R. 638) to extend certain patents of Seth H. Smith was read twice by its title, and referred to the Committee on Patents.

The bill (H. R. 8487) for the relief of Col. Charles B. Dougherty and other members of the Ninth Regiment of Pennsylvania Infantry was read twice by its title, and referred to the Committee on Military Affairs.

REPRESENTATIVES OF WILLIAM KISKADDEN.

MR. HANNA. I ask unanimous consent for the consideration of the bill (S. 1618) to confer jurisdiction upon the Court of Claims to hear and adjudicate the claim of the personal representatives of William Kiskadden, deceased.

The Secretary read the bill, and, by unanimous consent, the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill was reported from the Committee on Claims with amendments, in section 1, page 2, line 14, after the word "harness," to insert "with right to either party to appeal to the United States Supreme Court;" and in line 16, after the word "cause," to insert "the affidavits on file in the War Department shall be received as competent evidence;" so as to make the bill read:

Be it enacted, etc., That full jurisdiction is hereby conferred upon the Court of Claims to hear and determine the claim of the personal representatives of William Kiskadden, deceased, against the United States, for \$21,000, growing out of the alleged destruction of and damage to 128 head of horses and mules, 32 wagons, and 61 sets of harness belonging to the said William Kiskadden, resulting from the use of said teams under a contract made by the Government with the said William Kiskadden to transport the First Regiment of Colorado Volunteers from the city of Denver, Colorado Territory, to Fort Union, Territory of New Mexico, between the 22d day of February, 1862, and the 28th day of March, 1862, notwithstanding the lapse of time since such alleged destruction and damage.

That upon petition being filed in said court, in accordance with the rules of said court, within six months from the passage of this act, by the personal representatives of said William Kiskadden, the court is authorized and directed to determine the merits of said claim, and to render judgment for the sum, if any, found due the personal representatives of said William Kiskadden because of such destruction and damage to said horses, mules, wagons, and harness, with right to either party to appeal to the United States Supreme Court; and in the trial of said cause the affidavits on file in the War Department shall be received as competent evidence, and the finding of a board of survey (supervisors) convened at Camp Slough, March 14, 1862, that 36 of said animals, worn out and broken down from severe driving and want of forage, were abandoned before reaching Fort Union, if such finding be shown, shall be deemed and taken to be *prima facie* proof of the fact of such abandonment and loss.

SEC. 2. That in case judgment shall be rendered against the United States,

the Secretary of the Treasury shall be, and he is hereby, authorized and directed to pay the personal representatives of said William Kiskadden whatever sum shall be adjudged by the court to be due, out of any money in the Treasury not otherwise appropriated.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

EMILY H. WOOD.

Mr. TURNER. I ask unanimous consent for the present consideration of the bill (H. R. 9830) granting an increase of pension to Emily H. Wood.

The Secretary read the bill, and, by unanimous consent, the Senate, as in Committee of the Whole, proceeded to its consideration. It proposes to place on the pension roll the name of Emily H. Wood, widow of Oliver Wood, late brevet brigadier-general, United States Volunteers, and to pay her a pension of \$35 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

PUBLIC BUILDING AT HUNTINGTON, W. VA.

Mr. SCOTT. I ask unanimous consent to call up the bill (S. 4144) to provide for the purchase of a site and the erection of a public building thereon at Huntington, in the State of West Virginia.

The Secretary read the bill; and, by unanimous consent, the Senate, as in the Committee of the Whole, proceeded to its consideration.

The bill was reported from the Committee on Public Buildings and Grounds with amendments, on page 1, line 7, after the word "apparatus," to strike out "elevators;" on page 1, line 11, after the word "apparatus," to strike out "elevators," and on page 2, line 1, before the word "thousand," to strike out "seventy-five" and insert "one hundred and twenty;" so as to make the clause read:

That the Secretary of the Treasury be, and he is hereby, authorized and directed to acquire, by purchase, condemnation, or otherwise, a site, and cause to be erected thereon a suitable building, including fireproof vaults, heating and ventilating apparatus, and approaches, for the use and accommodation of the United States post-office and other governmental offices in the city of Huntington and State of West Virginia, the cost of said site and building, including said vaults, heating and ventilating apparatus, and approaches, not to exceed the sum of \$120,000.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

NAVAL APPROPRIATION BILL.

Mr. HALE submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate numbered 9, 50, 51, 52, 53, and 58 to the bill (H. R. 10450) making appropriations for the naval service for the fiscal year ending June 30, 1900, and for other purposes, having met, after full and free conference have been unable to agree.

EUGENE HALE,
GEORGE C. PERKINS,
B. R. TILLMAN,
Managers on the part of the Senate.
GEORGE EDMUND FOSS,
ALSTON G. DAYTON,
AMOS J. CUMMINGS,
Managers on the part of the House.

Mr. HALE. I ask that the report be agreed to and then I move that the Senate further insist on its amendments and disagree to the amendments of the House to the amendments of the Senate. Do the papers show that the House has called for another conference?

The PRESIDING OFFICER (MR. GALLINGER in the chair). The Chair is informed that the House has asked for a further conference.

Mr. HALE. I also move that the Senate agree to the conference asked by the House.

The PRESIDING OFFICER. The Senator from Maine moves that the Senate further insist on its amendments, disagree to the House amendments to the Senate amendments, and agree to the conference asked by the House.

The motion was agreed to.

By unanimous consent, the Presiding Officer was authorized to appoint the conferees on the part of the Senate; and Mr. HALE, Mr. PERKINS, and Mr. TILLMAN were appointed.

FREDERICK W. KELLOGG.

Mr. PERKINS. I ask consent for the consideration of the bill (H. R. 6854) granting an increase of pension to Frederick W. Kellogg.

The Secretary read the bill; and, by unanimous consent, the Senate, as in Committee of the Whole, proceeded to its consideration. It proposes to place on the pension roll the name of Fred-

erick W. Kellogg, late of Company A, Second Regiment Ohio Volunteer Cavalry, and to pay him a pension of \$50 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

FRANCES A. JONES.

Mr. FORAKER. I ask unanimous consent for the present consideration of the bill (H. R. 2908) granting a pension to Frances A. Jones.

The Secretary read the bill; and, by unanimous consent, the Senate, as in Committee of the Whole, proceeded to its consideration. It proposes to place on the pension roll the name of Frances A. Jones, widow of Toland Jones, late lieutenant-colonel One hundred and thirtieth Regiment Ohio Volunteer Infantry, and to pay her a pension of \$30 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ACCOUNTS OF LABORERS AND MECHANICS.

Mr. HARRIS. I ask unanimous consent for the consideration of the bill (S. 69) providing for the adjustment and payment of the accounts of laborers and mechanics arising under the eight-hour law.

The Secretary proceeded to read the bill.

Mr. WOLCOTT. I object, Mr. President.

The PRESIDING OFFICER. Objection is made, and the bill goes over.

RECEPTION OF COMMITTEE REPORTS.

On motion of Mr. CHANDLER, it was

Ordered. That reports to accompany bills and resolutions from committees remaining on the Calendar at the adjournment of the Senate may be received by the Secretary and printed.

MONTANA SENATORIAL INVESTIGATION.

Mr. CHANDLER submitted the following resolution; which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate, and ordered to be printed.

Resolved. That the Committee on Privileges and Elections, while making inquiry as to the respective claims of William A. Clark and Martin Maginnis to a seat in the Senate from the State of Montana, be authorized to send for persons and papers, to swear and examine witnesses, and to employ a stenographer; that said committee may act by a subcommittee, and may sit during the recess of Congress and during the sessions of the Senate, and that the expenses of the inquiry may be paid from the contingent fund of the Senate upon vouchers to be approved by the chairman of the committee.

APPOINTMENT OF SENATORS.

Mr. CHANDLER. I ask unanimous consent for the present consideration of the resolution I send to the desk.

The resolution was read, as follows:

Resolved, That the governors of Pennsylvania, Delaware, and Utah, respectively, have the right during the recess of the legislatures of their States to make temporary appointments, under section 3, Article I of the Constitution, of Senators to fill the vacancies which have happened and now exist in the representation of those States in the Senate.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

Mr. ALDRICH. Yes.

Mr. JONES of Arkansas. I object.

Mr. CHANDLER. Then I ask that the resolution may be laid on the table.

The PRESIDING OFFICER. The resolution will be laid on the table.

QUARTERMASTER'S DEPOT AT OMAHA.

Mr. THURSTON. I ask unanimous consent for the present consideration of the bill (S. 3565) to establish a quartermaster's depot at Omaha, Nebr., and for other purposes.

The Secretary read the bill; and, by unanimous consent, the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill was reported from the Committee on Military Affairs with amendments, in section 2, page 2, line 6, after the word "be," to strike out the words "turned over" and insert "assigned;" in the same line, after the word "the," to insert "Military;" and in line 7, after the word "Missouri," to strike out "under the direction of the Secretary of War" and insert "the general custody and control of the building to remain under the Secretary of the Treasury;" so as to make the bill read:

Be it enacted, etc., That the post-office and custom-house building in Omaha, Nebr., recently vacated by the Treasury Department and transferred to the War Department, according to the provisions of an act of Congress approved January 21, 1899, shall be occupied by the War Department as a general depot of the Quartermaster's Department, which is hereby established at that place.

SEC. 2. That the addition to the court-house and post-office building in Omaha, Nebr., for which \$150,000 was appropriated under an act of Congress entitled "An act making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1900, and for other purposes," approved March 3, 1899, shall, when completed, be assigned to the Military Department of the Missouri, the general custody and control of the building to remain under the Secretary of the Treasury.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

EXTENSION OF COAL-LAND LAWS TO ALASKA.

Mr. BARD. I ask for the present consideration of the bill (H. R. 5763) to extend the coal-land laws to the district of Alaska. The Secretary proceeded to read the bill.

Mr. WOLCOTT. I object, Mr. President.

The PRESIDENT pro tempore. Objection is made, and the bill goes over.

MARTHA E. HORN.

Mr. MCCOMAS. I ask that the bill (H. R. 6490) granting a pension to Martha E. Horn be taken up and put on its passage.

The Secretary read the bill; and, by unanimous consent, the Senate, as in Committee of the Whole, proceeded to its consideration. It proposes to place on the pension roll the name of Martha E. Horn, widow of John W. Horn, late colonel Sixth Regiment Maryland Volunteer Infantry, and to pay her a pension of \$30 per month and \$2 per month additional on account of each minor child of the officer.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MARGARET M. BADGER.

The PRESIDENT pro tempore laid before the Senate the action of the House of Representatives disagreeing to the amendments of the Senate to the bill (H. R. 4554) granting an increase of pension to Margaret M. Badger and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. PETTIGREW. I move that the Senate insist on its amendments and agree to the conference asked by the House.

The motion was agreed to.

By unanimous consent, the President pro tempore was authorized to appoint the conferees on the part of the Senate; and Mr. GALLINGER, Mr. SHOUR, and Mr. KENNEY were appointed.

PROPOSED PURE-FOOD LEGISLATION.

Mr. PETTIGREW. Mr. President, on the 2d of May the Senator from Illinois [Mr. MASON] made a speech in favor of pure-food legislation. During the pendency of his speech I asked him several questions with regard to the character of baking powder. I find that the manufacturers of baking powder made of cream of tartar have taken this portion of the Senator's speech and printed it in nearly all the patent newspapers of the West, and that they are circulating thousands of copies of it.

They have taken out of their printed report a part of the questions and answers in which I participated, and published the others. In the speech which they distribute they have taken out large extracts, placing stars in their place, and thus make me appear to indorse cream of tartar baking powder as being the only baking powder of any value in the world.

Mr. MCCOMAS. What was the object of the Senator's questions?

Mr. PETTIGREW. My questions were simply to bring out as far as I could the facts upon this subject. It developed during the inquiry that cream of tartar baking powder resulted in the production of Rochelle salts in food which they were used to raise. But that portion of the colloquy is stricken out entirely by the baking powder people, and only the parts satisfactory to them are distributed. There are columns of this matter appearing in the Western papers.

Mr. President, I have taken some pains since this conversation took place to investigate this question, and I am convinced that alum baking powder is just as wholesome as the cream of tartar baking powder. There is no difference in this respect; both are wholesome; but there is a great difference in the cost. Cream of tartar baking powder is manufactured from argol. That is, cream of tartar is made of a substance that comes from the wine vats of France and Italy. The quantity is limited.

The cream of tartar baking-powder trust in this country have complete control of the entire product. So they have a complete monopoly, and their product is sold for 50 cents a pound as against the alum powder, which is worth 10 cents; and so an enormous profit comes from finding purchasers at this great price who are made to believe, by extensive advertising, that their product is wholesome and that the other is exceedingly injurious to health.

I have talked with chemists who have been engaged in the production of both, and they assure me that one of the powders is as good as the other and that the alum baking powder is not injurious; that the chemical process in the raising of bread changes the nature of the alum into something else, which is in no respect injurious.

I ask leave to print as part of my remarks, without reading, the opinion of a Missouri court upon this subject; an able discussion of the facts in connection with the matter. I have no interest in any baking powder, but it seems to me, if the fact is established

that the powder which only cost 10 cents a pound is as good as the other, the American people ought to be in possession of the facts. I therefore ask unanimous consent to print, without reading, this brief decision of a court in Missouri upon this subject.

Mr. PENROSE. I object to an advertisement of baking powders being printed in the RECORD.

Mr. PETTIGREW. Then, Mr. President, I will proceed to read the decision myself.

Mr. PENROSE. Mr. President, I will surrender to the Senator from South Dakota.

Mr. PETTIGREW. I am very much obliged to the Senator from Pennsylvania. I should very much prefer to print the decision of the court without reading, for it is not particularly interesting; still I presume we have plenty of time.

I ask unanimous consent that the decision of the court be printed as a part of my remarks, without reading.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and it is so ordered.

The decision referred to is as follows:

[State of Missouri vs. Whitney Layton. Opinion of the court. Decision rendered by Judge Clark, St. Louis, Mo., March 31, 1900.]

Defendant is prosecuted, on information, charged with violation of the act of the legislature approved May 11, 1899, Session Acts of Missouri, 1899, page 170, and carried into the Revision of 1899, section 228.

This article makes it unlawful for any person or corporation doing business in this State to manufacture and sell or offer for sale any article or compound or preparation for the purpose of being used, or which is intended to be used, in the preparation of food in which preparation or compound there is contained any arsenic, calomel, bismuth, ammonia, or alum.

Upon the agreed statement of facts in this case and the evidence before the court, it appears that the defendant engaged in the manufacture and sale of baking powder, in which baking powder alum was used as an ingredient. Defendant admits the manufacture and sale of the baking powder, and seeks justification upon the ground that baking powders prepared after the formula used by him had been in use for many years; that trade in such baking powders had reached enormous proportions; that such baking powder has become a recognized article in trade and commerce; that such baking powders are harmless in their nature and in no wise deleterious to health; that by reason of these facts the statute in question, so far as it is applicable to the baking-powder trade, is unconstitutional, and is an unlawful invasion of the rights of property and is class legislation. Upon the trial the court admitted, subject to objection, testimony as to the respective merits of the various kinds of baking powders, the extent of the trade, the nature and character of the substances composing baking powders, and their properties and effects upon the consumers of food prepared with the baking powders.

Defendant introduced evidence tending to show that the alum baking-powder industry had existed in the United States for more than twenty-five years and had reached such proportions that the annual output and consumption of alum baking powders in this country as the trade now exists was equal to 100,000,000 pounds per annum, existing in the proportion of about 5 to 1 of other kinds of baking powder consumed by the people.

Defendant also introduced in evidence testimony of a number of witnesses who had used alum baking powders for a greater or shorter length of time, some witnesses testifying to an experience in that direction extending over twenty years and embracing the supplying of food prepared with alum baking powders to a great number of persons. Defendant also introduced the testimony of a number of persons who had used alum baking powders in their own private families for various periods of time, extending over various terms of years, and the testimony of all of these witnesses united in declaring that no harmful or deleterious effects upon the consumers had been observed as the result of the use of alum baking powders in the preparation of food.

Defendant offered in evidence also testimony as to certain experiments which had been made under the auspices of experts and conducted with a view of determining the value of alum baking powders as an ingredient in the preparation of food, and as to whether or not such baking powders would be liable to produce any harmful effects upon the consumers. The effects and properties of such powders and the results of those experiments are reported in the testimony and tend to sustain the contention of the defendant that alum baking powder is wholesome and harmless as an ingredient in the preparation of food.

Defendant also presented in evidence the results of certain experiments performed by expert chemists with a view of developing the constituents of various alum baking powders and the resultant products from their use as a constituent of food, and whether or not there remained in the food prepared by the use of alum baking powder any substances which might be regarded as deleterious in character. In that connection defendant also offered testimony of eminent medical and physiological experts whose opinions were that alum baking powders used in the preparation of food were wholesome and harmless, and had been proven so by the experience of many years in their use.

Defendant also offered in evidence testimony tending to show that, notwithstanding the enormous proportions to which the alum baking-powder industry had grown in this country, and the length of time in which such products had been placed upon the market and used in the preparation of food, there nevertheless existed no recorded instance in which any disease or derangement of the digestive functions or powers of any kind could be traced to the use of such baking powders as an ingredient in the preparation of food.

Defendant offered in evidence, also, testimony tending to show that, notwithstanding there existed in the popular mind some degree of prejudice against the use of the so-called alum baking powders, that prejudice was largely accounted for by the fact that the manufacturers of other kinds of baking powder had for years systematically advertised articles, in newspapers and otherwise, condemning alum baking powders as harmful and injurious to health.

The prosecution offered in evidence testimony as to the results of experiments conducted under scientific auspices with a view of determining the properties of alum and its effects upon the human system and the nature and character of its various compounds, such as may result from the employment of alum as an ingredient in baking powder when used in the preparation of food, and supplemented those experiments with the testimony and opinion of expert chemists and physiological experts, tending to show that alum, when used as an ingredient in baking powder used in the preparation of food, was harmful in its nature, and that its continued use for such purposes was likely to produce functional derangement of the digestive organs and destroy

or at least impair nutrition and to prove ultimately prejudicial to the consumer by way of impairment of the digestive powers and injury to the general health.

The prosecution also produced evidence tending to show the existence of a well-established and long-entertained opinion upon the part of scientific men, and the public generally, that the use of alum as an ingredient in the preparation of food was harmful and should be prevented.

The record in this case is exceedingly voluminous, and, as far as the court is aware, the subject of the merits and demerits of alum baking powders is in this record for the first time in a manner so exhaustively prepared and presented for the determination of this case, and for this reason I have considered it to be proper to give my opinion upon that question irrespective of whatever opinion I may have in the ultimate determination of this case.

The testimony discloses that all baking powders when used in the preparation of food act mechanically. By the chemical action of some substances upon bicarbonate of soda there is released a gas known as carbon dioxide, or more popularly called carbonic acid gas. This gas, being liberated in the dough, forms bubbles which take permanent form in the baking, thus making the substance light and porous. There are three classes of baking powders known to the trade. One is known as cream of tartar baking powder, in which the active chemical agent is bitartrate of potassium, which combines with the bicarbonate of soda, and the chemical reaction between these elements releases the carbon dioxide, or carbonic acid gas, as before specified.

Another class is what is known as phosphatic baking powder, in which the active element or ingredient is phosphate of calcium, which unites with the bicarbonate of soda, although the latter matter is not clearly set forth in the testimony. The chemical reaction is the same as in the first class, the acid phosphate of calcium uniting with the bicarbonate of soda, forming carbon dioxide.

The third class is what is known as alum baking powder. The active chemical ingredients in alum baking powders are sodium sulphate of aluminum and bicarbonate of soda. Each of the various classes of baking powders acts by the combination of the chemical agents, through the aid of moisture, and, in addition to the liberation of carbon dioxide or carbonic acid gas, there result by-products which, in the case of cream of tartar baking powders, take the form of a substance commonly known as Rochelle salts, a purgative agent in its nature, when given in sufficient quantities for that purpose.

The by-products resulting from the use of alum baking powders are, first, a substance commonly known as Glauber's salts, having the same effect and similar in its nature to Rochelle salts; also a substance known as hydrate of aluminum, called by some of the witnesses hydrate of alumina. It is the latter substance which the prosecution contends is deleterious in its nature, so much so that it should be forbidden to be introduced into the food.

The prosecution also contends that should there be, in the preparation of alum baking powders, a failure to adjust the proper balance between the chemical agents there would result an excess of one agent or the other which would produce results harmful in their character; that should there be an excess of sodium sulphate of aluminum, or alum, popularly so called, there would remain in the food unneutralized alum, which would be harmful in its nature and calculated to interfere with the digestion and health of persons using such food.

The testimony upon this point showed that few, if any, of the manufacturers of so-called alum baking powders prepared their powders in the exact chemical proportions necessary to produce complete chemical reaction between the active agents without leaving a residue of either. The variations, however, shown in the testimony from perfect theoretical balance were so very minute that, taking into consideration the fact that all of the substances used were commercial articles, and therefore rarely, if ever, chemically pure, it may be said that the adjustment of the balance between the active agents in the preparation of alum baking powders is more properly a matter for practical experiment and determination than mere theoretical dictation.

It was not proven in evidence that there were any instances in the use of alum baking powders which resulted in the leaving in the food product any free alum—that is, in its original form. Some experiments showed that alum in some form, whether in its original shape or as a compound in combination with other substances, did exist in the resulting product. It is to be noted that in every instance the quantity of alum or alum compounds found by analysis in the resulting food products was extremely small and far below the limit fixed by experiment as being a quantity sufficient to produce appreciable effects upon the individual using the food product in any quantity, such as would be obtained in its use as food—such as would be obtained in practice.

It was shown as the result of chemical analyses that in a 1-pound loaf of bread prepared with alum baking powder there would be found, approximately, from 11 to 17 grains of hydroxide of aluminum, or, as it was termed by some of the witnesses, hydrate of alumina.

The prosecution contends this substance to be deleterious, and the eminent experts testified on that subject as to the theoretical effects of these substances, and from their reading and information and general knowledge of these matters serious results would follow the consumption of food containing alum.

Professor Mallet, of the University of Virginia, presented reports of experiments conducted by him upon himself as a subject, and his report was that, taken in single doses, it required not less than 20 grains of hydroxide of aluminum to produce any appreciable effect upon the subject. All other experts who testified for the prosecution testified purely upon a theoretical basis, and, although it appears to the court that hydroxide of alum is a substance easily accessible, and which could have been the subject of practical experiments whereby the various eminent scientists could have made tests, yet they were without a single practical test, with the exception of that of Professor Mallet, and were without a basis of actual determination upon which to found their theory.

Upon cross-examination, the experts testifying for the prosecution admitted that in all their experience and in all their reading and information that they possessed on the subject, they had never themselves come in contact with, nor could they obtain any information or any knowledge of any recorded instances in which functional disorders or disease or impairment of the digestion and general health had resulted to any human being from the use of alum baking powder as an ingredient in the preparation of food.

In the mind of the court this fact, considering the enormous proportions to which the alum baking powder industry has grown in this country and the length of time in which such baking powders have been in use, stands as a stone wall against the deductions of the most eminent scientists who presented their theories on the part of the prosecution. I am unable to find in the evidence in this case any just ground for a ruling that alum baking powders, of themselves, when used in the preparation of food are in any wise less wholesome than any other variety of baking powders. This finding, however, does not or in its nature can not dispose of this case.

The act in question is based upon the assumed power of the State, a power which is designated as the police power, for the protection, welfare, and health and safety of the people, is considered as the exercise—the valid exercise—of legislative power. That there exists in the minds of the public generally

and in the minds of the scientific world a strong opinion that alum as an ingredient to be used in the preparation of human food is injurious there can be no question. That this opinion may have been and, in the mind of the court, was probably erroneous as far as it concerns the use of alum as an ingredient in baking powder can not justify the court in assuming to itself the functions of the legislative powers of the State.

That the act in question may have been passed by the legislature under a misapprehension is no reason why the court should not accept it as valid and enforce it. Such considerations, under the overwhelming weight of the authorities in this country, must be addressed to the legislative branch of the Government, not to the judicial, as a reason for overturning the action of the legislative department. The principle in question is clearly laid down by the Supreme Court of the United States in the case of Powell vs. Pennsylvania, and Plumley vs. Massachusetts and other cases.

From the reasoning of the Supreme Court of the United States in those cases there is no escape, and a great deal of the evidence in this case that the court permitted the defendant to present, subject to the objection of the prosecution, is incompetent, and all of that testimony must therefore be ruled out. It appears from the agreed statement of facts that the act denounced by the legislature having been committed by the defendant, he must necessarily be found guilty in this court, and a fine will therefore be imposed upon the defendant of \$100.

CLARENCE S. HALL.

Mr. LODGE. I ask unanimous consent for the present consideration of the bill (H. R. 7179) granting a pension to Clarence S. Hall.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to place on the pension roll the name of Clarence S. Hall, the blind and dependent son of Andrew L. Hall, late of Company C, First Battalion Maine Volunteer Infantry, and to pay him a pension of \$12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

GEORGE W. GRAHAM.

Mr. ELKINS. I ask unanimous consent for the present consideration of the bill (S. 1661) for the relief of George W. Graham.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It directs the Secretary of the Treasury to pay to George W. Graham \$484.10, in full compensation for services and advances made as local agent of the Solicitor of the Treasury at Harper's Ferry, W. Va., from July 2, 1878, to November 30, 1880, inclusive.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

EQUALIZATION OF NAVY RANK AND PAY.

Mr. PENROSE. I ask unanimous consent for the consideration at this time of the bill (S. 3422) to adjust and equalize the rank and pay of certain officers of the Navy.

The PRESIDENT pro tempore. The bill will be read in full for the information of the Senate.

The Secretary read the bill.

Mr. PETTIGREW. I object, Mr. President. I do not know anything about the bill, but it is general in its nature. To local bills and pension bills I should have no objection, but I do not think that general legislation of this character ought to be passed at this time.

Mr. CHANDLER. I hope the Senator will let this bill be passed. It simply corrects an injustice which has been done to retired officers of the Navy who had creditable records during the civil war thirty years ago. I am very sure it is right, and the Senator is always so good-natured that I hope he will be good-natured to me now.

Mr. PENROSE. I hope the Senator from South Dakota will withdraw his objection. The bill has been unanimously reported from the Committee on Naval Affairs. The beneficiaries under it are very limited in number, only some two hundred and fifty, I think.

Mr. PETTIGREW. It is very difficult for me to resist the appeal of the Senator from Pennsylvania.

Mr. PENROSE. The Senator will remember that I withdrew my objection to his request for printing the decision as to baking powders. [Laughter.]

Mr. PETTIGREW. I withdraw my objection, Mr. President.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (S. 4322) to adjust and equalize the rank and pay of certain officers of the Navy, which had been reported from the Committee on Naval Affairs with amendments.

The first amendment was, in section 1, line 7, after the word "grade," to insert:

And officers who shall be retired from the positions of chiefs of bureaus of the Navy Department by reason of age or length of service shall have the rank of rear-admiral.

So as to make the section read:

That all officers of the Navy with creditable records who served during the civil war and who were placed on the retired list prior to March 3, 1899, shall be advanced on the retired list from said date to the rank of the next higher grade; and officers who shall be retired from the positions of chiefs

of bureaus of the Navy Department by reason of age or length of service shall have the rank of rear-admiral.

The amendment was agreed to.

The next amendment was, in section 2, on page 2, line 3, before the word "officers," to strike out "commissioned;" in the same line, after the word "same," to strike out "grades" and insert "rank;" in line 5, after the date "1899," to strike out "Provided, That" and insert "but;" and in the same line, after the word "nothing," to strike out "in this act" and insert "herein;" so as to make the section read:

SEC. 2. That all commissioned officers of the Navy with creditable records who served during the civil war and who were placed on the retired list prior to June 30, 1899, shall receive the same pay from said date as the officers of the Navy of the same rank who have been retired since June 30, 1899, but nothing herein shall operate to reduce the pay of any officer now on the retired list of the Navy.

The amendment was agreed to.

The next amendment was to strike out section 3, as follows:

SEC. 3. That all acts and parts of acts, so far as they conflict with the provisions of this act, are hereby repealed.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill to equalize the rank and pay of certain retired officers of the Navy."

PUBLIC BUILDING AT GREENBAY, WIS.

MR. QUARLES. I ask unanimous consent for the present consideration of the bill (S. 3208) for the erection of a public building at Greenbay, Wis.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Public Buildings and Grounds with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Treasury be, and he is hereby, authorized and directed to acquire, by purchase, condemnation, or otherwise, a site and cause to be erected thereon a suitable building, including fireproof vaults, heating and ventilating apparatus, and approaches, for the use and accommodation of the United States post-office and other Government offices, in the city of Greenbay and State of Wisconsin; the cost of said site and building, including said vaults, heating and ventilating apparatus, and approaches, complete, not to exceed the sum of \$150,000.

SEC. 2. That proposals for the sale of land suitable for said site shall be invited by public advertisement in one or more of the newspapers of said city of largest circulation for at least twenty days prior to the date specified in said advertisement for the opening of said proposals.

SEC. 3. That proposals made in response to said advertisement shall be addressed and mailed to the Secretary of the Treasury, who shall then cause the said proposed sites, and such others as he may think proper to designate, to be examined in person by an agent of the Treasury Department, who shall make written report to said Secretary of the results of said examination and of his recommendation thereon and the reasons therefor, which shall be accompanied by the original proposals and all maps, plats, and statements which shall have come into his possession relating to said proposed sites.

SEC. 4. That if, upon consideration of said report and accompanying papers, the Secretary of the Treasury shall deem further investigation necessary, he may appoint a commission of not more than three persons, one of whom shall be an officer of the Treasury Department, which commission shall also examine the said proposed sites and such others as the Secretary of the Treasury may designate, and grant such hearings in relation thereto as they may deem necessary, and said commission shall, within thirty days after said examination, make to the Secretary of the Treasury written report of their conclusion in the premises, accompanied by all maps, statements, plats, or documents taken by or submitted to them, in like manner as heretofore provided in regard to the proceedings of said agent of the Treasury Department, and the Secretary of the Treasury shall thereupon finally determine the location of the building to be erected.

SEC. 5. That the compensation of said commissioners shall be fixed by the Secretary of the Treasury, but the same shall not exceed \$6 per day and actual traveling expenses: Provided, however, That the member of said commission appointed from the Treasury Department shall be paid only his actual traveling expenses.

SEC. 6. That the building shall be unexposed to danger from fire by an open space of at least 40 feet on each side, including streets and alleys.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MOORES CREEK BATTLEFIELD, NORTH CAROLINA.

MR. BUTLER. I ask unanimous consent for the present consideration of the bill (S. 2370) appropriating \$10,000 to inclose and beautify the monument on the Moores Creek battlefield, North Carolina.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from North Carolina?

MR. BUTLER. The bill has been read once. I ask that the committee amendments be considered. The Senator from Colorado, who objected to it before, has withdrawn his objection.

MR. LODGE. Is that the bill for erecting a monument at Moores Creek?

The PRESIDENT pro tempore. It is.

MR. LODGE. I must object.

The PRESIDENT pro tempore. Objection is made.

Mr. WOLCOTT. I hope the Senator from Massachusetts will

withdraw his objection. The Senator from North Carolina has shifted the date of the battle a year, so that perhaps it is within the ordinary Revolutionary statute of limitations. [Laughter.]

MR. BUTLER. I trust the Senator from Massachusetts will not object to this bill. It is for a very worthy purpose. It is nothing that is new or untried or without precedent.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from North Carolina?

MR. LODGE. I object, Mr. President.

The PRESIDENT pro tempore. Then the bill goes to the Calendar.

NINTH REGIMENT PENNSYLVANIA INFANTRY.

MR. PENROSE. I ask unanimous consent to reconsider the vote by which the bill (H. R. 8487) for the relief of Col. Charles B. Dougherty and other members of the Ninth Regiment of Pennsylvania Infantry was referred to the Committee on Military Affairs, and I ask unanimous consent for the present consideration of the bill.

MR. PLATT of Connecticut. Is that a motion to discharge the Committee on Military Affairs from the consideration of the bill?

MR. PENROSE. A similar bill has already been reported to the Senate by the Committee on Military Affairs.

MR. PLATT of Connecticut. Is that the same as the bill which has passed the House?

MR. PENROSE. The Senate bill is the same as that which has now passed the House.

The PRESIDENT pro tempore. The Chair did not recognize the Senator from Pennsylvania to ask for the consideration of this bill. He would be obliged to recognize some other Senator under the courtesies of the Senate. The Chair recognized the Senator from Pennsylvania to ask that this bill might take the place of the Senate bill on the Calendar; and then, later, the Senator can reach it.

MR. PENROSE. Very well. I have no desire to interfere with any other Senator who has priority.

MR. KENNEY. I understand it takes the place of the Senate bill on the Calendar.

The PRESIDENT pro tempore. It takes the place of the Senate bill on the Calendar.

REV. WILLIAM T. M'ELROY.

MR. LINDSAY. I ask unanimous consent for the present consideration of the bill (H. R. 3020) for the relief of Rev. William T. McElroy.

MR. WOLCOTT. I object, Mr. President.

The PRESIDENT pro tempore. The Senator from Colorado objects.

PROPOSED CONSIDERATION OF PENSION BILLS.

MR. GALLINGER. I am going to venture to make a request. If that is denied, then I shall ask to consider a little pension bill. My request is that at half past 2 o'clock, if no appropriation bills interfere, thirty minutes be given to the consideration of pension bills.

MR. TILLMAN. I suggest to the Senator to let us go on until the appropriation bills come in, and then let us go to bed.

MR. GALLINGER. I make this request in behalf of more than a dozen Senators.

MR. TILLMAN. Let us go on now. Do not ask unanimous consent to go on.

MR. GALLINGER. I ask unanimous consent that twenty minutes be given for the consideration of House pension bills on the Calendar.

MR. TILLMAN. I object to any unanimous consent so far as any limit of time is concerned, but I shall not object to individual bills.

MR. WOLCOTT. Inasmuch as nobody has made the slightest objection in opposition to the current of passing these bills, it is absurd, to my mind, to suggest that by unanimous consent a certain hour be given to pass some bills to which nobody is now making objection. At this time everybody who has the good fortune to be recognized by the Chair gets his bill passed. It occurs to me that we had better go on now as we are doing. Everybody who wants any money seems to be doing very well. [Laughter.]

MARY E. DICKEY.

MR. GALLINGER. I ask unanimous consent for the present consideration of the bill (H. R. 5208) granting a pension to Mary E. Dickey.

MR. FORAKER. I want to give a notice, if the Senator will yield to me just a moment.

MR. GALLINGER. Certainly.

MR. FORAKER. I wish to have another executive session, but only for a few minutes; and I want a convenient time to move to proceed to the consideration of executive business. I give notice that I shall do so at a convenient time.

MR. GALLINGER. Let the bill which I have referred to be considered, there being no objection to it.

The PRESIDENT pro tempore. In the absence of objection, the bill will be considered.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to place on the pension roll the name of Mary E. Dickey, as widow of James M. Dickey, late of Company C, First Regiment New Hampshire Volunteer Heavy Artillery, and to pay her a pension of \$12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WILLIAM E. WOODBRIDGE.

Mr. PLATT of Connecticut. I ask unanimous consent for the present consideration of the bill (H. R. 149) referring to the Court of Claims the claim of William E. Woodbridge for compensation for the use by the United States of his invention relating to projectiles, for which letters patent were ordered to issue to him March 25, 1852.

Mr. WOLCOTT. I ask that the bill be read for information.

The PRESIDENT pro tempore. The bill will be read for information.

The Secretary read the bill.

Mr. ALDRICH. I object to that bill.

Mr. PLATT of Connecticut. I desire to say that I have got this bill passed seven or eight times through the Senate. There have been ten reports in its favor in the House, and the House has at last passed the bill. I ask that it may now be passed by the Senate.

Mr. WOLCOTT. I object, Mr. President.

The PRESIDENT pro tempore. Objection is made.

PORTER, HARRISON & FISHBACK.

Mr. BEVERIDGE. I ask unanimous consent for the present consideration of the bill (S. 1992) for the payment of Porter, Harrison & Fishback for legal services.

Mr. WOLCOTT. I object.

Mr. BEVERIDGE. Mr. President, the Senator from Colorado had a conversation with me some little time ago about this bill, and he said he would not object to it. I call further the Senator's attention to the fact that I should not have allowed this bill to remain without action so long had it not been for the fact that I was detained from the Senate for six or eight weeks by circumstances over which I had no control.

Mr. WOLCOTT. I withdraw the objection, in view of the statement made by the Senator.

Mr. BEVERIDGE. I thank the Senator.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill. It directs the Secretary of the Treasury to pay to Porter, Harrison & Fishback \$2,500 for legal services rendered by them (as recommended and approved by the Judge-Advocate-General and Secretary of War) in defending ex-officers and ex-soldiers for acts done by them in obedience to the orders of a superior officer of the United States Army in Indiana during the civil war.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

TRUE VERSION OF THE PHILIPPINE REVOLUTION.

Mr. FAIRBANKS. I offer the resolution which I send to the desk and ask unanimous consent for its present consideration.

The PRESIDENT pro tempore. The resolution will be read.

The Secretary read as follows:

Resolved, That the Secretary of War be directed to send to the Senate all correspondence in the War Department with respect to statements made by Don Emilio Aguinaldo y Famy and contained in the "True Version of the Philippine Revolution."

The PRESIDENT pro tempore. Is there objection to the present consideration of the resolution?

Mr. WOLCOTT. Let it go over, Mr. President. I object to its consideration.

The PRESIDENT pro tempore. The resolution will go over.

Mr. FAIRBANKS. Mr. President, of course if Senators insist upon keeping from the Senate information which is very much required in order to make clear certain statements which have been made here, I have nothing further to say.

Mr. PETTIGREW. I shall object unless—

Mr. CHANDLER. I ask that the resolution be again read.

Mr. PETTIGREW. I shall object also unless the resolution provides for the printing of the statement of Aguinaldo. I am willing to include both statements, but I object unless Aguinaldo's statement is included.

Mr. FAIRBANKS. I will say, for the information of the Senator, that, as I understand, the statements of Aguinaldo have been presented here frequently through his very faithful advocate on this floor.

Mr. PETTIGREW. I tried to have Aguinaldo's statement printed as a document, but the Senate would not print it; and I have read less from it, by a good deal, than have the Senators who advocate the policy of imperialism.

Mr. FAIRBANKS. I think the Senator has got into the RECORD information coming from Aguinaldo which should be met by the document to which I have referred.

Mr. PETTIGREW. The information which I have got into the RECORD came from Document No. 62, transmitted by the President of the United States. I have never read any portion of this document.

Mr. FAIRBANKS. Not of "The True Version?"

Mr. PETTIGREW. No, sir; I have never read a bit of it. If this resolution is going through I want it amended.

The PRESIDENT pro tempore. Is there objection to the present consideration of the resolution?

Mr. PETTIGREW. I object, for the reason that the Senator will not agree to print the document itself which he wishes to refute.

The PRESIDENT pro tempore. Objection is made.

DEFICIENCY APPROPRIATION BILL.

Mr. HALE submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 11537) making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1900, and for prior years, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 6, 7, 13, 27, 58, 138, 143, and 153.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 4, 8, 9, 10, 11, 12, 14, 15, 16, 17, 18, 19, 21, 22, 23, 24, 25, 26, 28, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 130, 131, 132, 133, 134, 135, 136, 137, 139, 140, 141, 142, 144, 145, 146, 147, 148, 149, 150, 151, 152, 154, 155, 156, 157, 158, 159, 160, 161, and 162; and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 5, and agree to the same with an amendment as follows: In line 1 of said amendment strike out the word "consul-general" and insert in lieu thereof the word "consul;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 20, and agree to the same with an amendment as follows: In lieu of the matter inserted in said amendment insert the following:

"To pay to W. Louis George, Wonder O. George, and Rebecca Samantha George, or to their legal representatives, the amount of a finding of the Southern Claims Commission made in 1870 in their favor as the minor children of W. L. George, of Coker, Ala., \$450."

And the Senate agree to the same.

EUGENE HALE,

W. B. ALLISON,

H. M. TELLER,

Managers on the part of the Senate,

J. G. CANNON,

S. S. BARNEY,

Managers on the part of the House.

The report was agreed to.

NINTH REGIMENT PENNSYLVANIA INFANTRY.

Mr. KENNEY. I ask unanimous consent for the present consideration of the bill (H. R. 8487) for the relief of Col. Charles B. Dougherty and other members of the Ninth Regiment of Pennsylvania Infantry.

Mr. WOLCOTT. Mr. President, I object.

Mr. KENNEY. I hope the Senator from California will not object until I have an opportunity to make a statement.

Mr. WOLCOTT. I withdraw the objection in order that the Senator from Delaware may make a statement.

Mr. KENNEY. I spoke to the Senator from Colorado about this bill. It is a very important measure, and a very just one. The bill has passed the other House, and has just been substituted in place of the Senate bill, which was reported from the Committee on Claims. It is a bill to pay the officers of the Ninth Regiment of Pennsylvania Infantry Volunteers for baggage lost in a fire while they were at camp in the South during the Spanish-American war. The matter has been adjudicated and passed upon by the proper board of officers of the Army, and is most just in every way. I hope the Senator from Colorado will withdraw his objection.

Mr. CULLOM. How much is involved?

Mr. KENNEY. About \$5,000.

The PRESIDENT pro tempore. Is there objection to the consideration of the bill?

Mr. WOLCOTT. Was this personal luggage? I desire to hear the report read. I should like to have the Senator from Delaware explain whether this gallant regiment lost personal luggage to the extent of \$5,000 in value; and, if so, whether it was on their way to the seat of the fatal conflict or on their return.

Mr. KENNEY. I will say, for the information of the Senator, that pay for all personal luggage has been stricken out in the House, and the bill as reported from the Committee on Claims of the Senate allows pay for only that part of the luggage which is properly soldiers' equipment.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

Mr. WOLCOTT. I object, Mr. President.

The PRESIDENT pro tempore. Objection is made.

EXECUTIVE SESSION.

Mr. ALLISON. I move that the Senate take a recess until 10 o'clock to-morrow morning.

Mr. FORAKER. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Iowa yield to the Senator from Ohio?

Mr. FORAKER. I hope the Senator will withdraw the motion for a moment.

Mr. ALLISON. Very well.

Mr. FORAKER. I move that the Senate proceed to the consideration of executive business to consider a matter which will take only a minute.

The PRESIDENT pro tempore. The question is on the motion of the Senator from Ohio.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After ten minutes spent in executive session the doors were reopened.

RECESS.

On motion of Mr. ALLISON (at 2 o'clock and 40 minutes a. m. Wednesday, June 6, 1900), the Senate took a recess until 10 o'clock a. m. Wednesday, June 6, 1900.

The Senate reassembled at 10 o'clock a. m., Wednesday, June 6, 1900.

HOUSE BILLS REFERRED.

The following bills were severally read twice by their titles, and referred to the Committee on the Judiciary:

A bill (H. R. 4915) to amend the seventh section of the act entitled "An act to establish circuit courts of appeals, and to define and regulate in certain cases the jurisdiction of the courts of the United States, and for other purposes," approved March 3, 1891; and

A bill (H. R. 11005) authorizing the Solicitor of the Treasury to quitclaim and release certain title and interest of the United States to Mrs. Lutie M. Nowlin;

The bill (H. R. 11585) permitting the building of a dam across the Osage River at the city of Warsaw, Benton County, Mo., was read twice by its title, and referred to the Committee on Commerce.

The bill (H. R. 10701) to amend section 6, chapter 119, United States Statutes at Large, No. 24, was read twice by its title, and referred to the Committee on Indian Affairs.

The bill (H. R. 11973) relating to rights of way through certain parks, reservations, and other public lands was read twice by its title, and referred to the Committee on Public Lands.

INQUIRIES RELATIVE TO THE PHILIPPINE ISLANDS.

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States; which was read, and, with the accompanying papers, referred to the Committee on the Philippines, and ordered to be printed:

To the Senate of the United States:

In further response to the resolution of the Senate of January 17, 1900, requesting, among other things, information tending to throw light upon the conduct and events of the insurrection against the authority of the United States in the Philippine Islands, I transmit herewith a correspondence between the Secretary of War and the officers of the Second Division of the Eighth Army Corps.

WILLIAM MCKINLEY.

EXECUTIVE MANSION,
Washington, June 6, 1900.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had passed the following bills:

A bill (S. 2111) granting a pension to Ira Doane; and

A bill (S. 4532) for reestablishing the range lights on the Delaware River known as Finns Point range, Reedy Island range, and Port Penn range.

The message also announced that the House had passed a bill (H. R. 11738) for the relief of William L. Orr; in which it requested the concurrence of the Senate.

ENROLLED BILLS SIGNED.

The message further announced that the Speaker of the House had signed the following enrolled bills and joint resolutions; and they were thereupon signed by the President pro tempore.

A bill (S. 2581) to incorporate the National White Cross of America, and for other purposes;

A bill (H. R. 602) granting an increase of pension to Charles H. Adams;

A bill (H. R. 1409) for the relief of Robert A. Ragan;

A bill (H. R. 3597) to incorporate the Frederick Douglass Memorial and Historical Association;

A bill (H. R. 4468) to authorize the city of Tucson, Ariz., to issue bonds for waterworks, and for other purposes;

A bill (H. R. 5508) granting an increase of pension to Jennie C. Taylor;

A bill (H. R. 5804) granting a pension to Byron F. Davis; A bill (H. R. 7179) granting a pension to Clarence S. Hall; A bill (H. R. 7950) for the extension of Columbia road east of Thirteenth street, and for other purposes;

A bill (H. R. 8475) granting an increase of pension to Alice de Vecchj;

A bill (H. R. 8925) to authorize the detail of an officer of the retired list of the Army as adjutant-general of the District of Columbia militia;

A bill (H. R. 9388) to provide better facilities for the safe-keeping and disbursement of public moneys in the Philippine Islands and in the islands of Cuba and Porto Rico;

A bill (H. R. 9783) granting an increase of pension to Benjamin F. Dennis;

A bill (H. R. 9827) to close all alleys in block 3 of the Walbridge subdivision of Ingleside, in the county of Washington;

A bill (H. R. 9839) granting an increase of pension to Emily H. Wood;

A bill (H. R. 10060) granting an increase of pension to Winfred M. Goins;

A bill (H. R. 10152) to provide for the sale of isolated and disconnected tracts or parcels of the Osage trust and diminished reserve lands in the State of Kansas;

A bill (H. R. 10618) granting an increase of pension to Martin O'Connor;

A bill (H. R. 10865) to provide for the use of timber and stone for domestic and industrial purposes in the Indian Territory;

A bill (H. R. 11538) making appropriations for the support of the Military Academy for the fiscal year ending June 30, 1901, and for other purposes;

A bill (H. R. 11719) amending section 5270 of the Revised Statutes of the United States;

A joint resolution (H. J. Res. 268) to pay the officers and employees of the Senate and House of Representatives their salaries for the month of June on the day following adjournment;

A joint resolution (S. R. 41) to authorize the President to place Andrew Geddes on the retired list with the rank of captain; and

A joint resolution (S. R. 72) authorizing the President of the United States to appoint David Bagley as an additional cadet at the Naval Academy, Annapolis, Md.

PAPER ON DISCOVERY OF GOLD IN ALASKA.

Mr. HANSBROUGH. I desire to ask to have printed a paper which I think to be a very accurate and certainly is a most interesting history of the discovery of gold on the Alaskan shores of Bering Sea. It is a short paper, and I would be glad to have it printed as a document.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and it is so ordered.

PROPOSED CITIZENSHIP OF CREEK INDIANS.

Mr. MORGAN. I present the memorial of Hotulkee Yahola and one other Indian on behalf of the Creek Nation of Indians, remonstrating against the passage of House bill No. 11821, which seeks to destroy the Creek Nation and to force upon its people a citizenship. I move that the memorial be printed as a document and referred to the Committee on Indian Affairs.

The motion was agreed to.

SENATOR FROM MONTANA.

Mr. CHANDLER. From the majority of the Committee on Privileges and Elections I submit a supplemental report, to accompany the resolution reported from the committee, declaring that William A. Clark was not duly and legally elected to a seat in the Senate of the United States. I ask that it be printed.

The PRESIDENT pro tempore. The report will be printed under the rule.

REPORTS OF A COMMITTEE.

Mr. SULLIVAN (for Mr. McLaurin), from the Committee on Claims, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 3799) for the relief of Stanley Snodgrass, of Jefferson County, Miss.; and

A bill (H. R. 7483) for the relief of James T. Ellis, of Rankin County, Miss.

BILLS INTRODUCED.

Mr. GALLINGER (by request) introduced a bill (S. 4957) authorizing the appointment of a commission to ascertain what legislation is necessary to secure a uniform standard in the practice of medicine and surgery throughout the United States, and for other purposes; which was read twice by its title, and referred to the Committee on Public Health and National Quarantine.

Mr. KENNEY introduced a bill (S. 4958) for the relief of the legal representatives of Pusey, Jones & Co., of Wilmington, Del.; which was read twice by its title, and referred to the Committee on Claims.

Mr. STEWART introduced a bill (S. 4959) to pay the State of

Nevada for moneys advanced in aid of the suppression of the rebellion in the civil war; which was read twice by its title, and referred to the Committee on Claims.

Mr. SPOONER introduced a bill (S. 4960) granting a pension to Minerva M. Helmer; which was read twice by its title, and referred to the Committee on Pensions.

APPRAISER'S OFFICE AT NEW YORK.

Mr. GALLINGER submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the Committee on Civil Service and Retrenchment is hereby directed to make careful inquiry into the charges made, on pages 272-281, inclusive, of the Sixteenth Report of the United States Civil Service Commission against the administration of the Appraiser's office at the port of New York.

HUGO LOEWI.

Mr. CLARK submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the Committee on Foreign Relations of the Senate be discharged from the further consideration of the papers in the claim of Hugo Loewi, an American citizen, against the Government of Haiti, and that the matter be referred to the Department of State for action.

ESTHER A. TURNER.

On motion of Mr. McBride, it was

Ordered, That the papers accompanying the bill (S. 1900) of the third session Fifty-fifth Congress, granting a pension to Esther A. Turner, be withdrawn from the files of the Senate, no unfavorable report having been made thereon.

PUBLIC BUILDING AT HELENA, MONT.

Mr. CARTER. Mr. President, if in order, I ask unanimous consent for the present consideration of the bill (S. 4207) to increase the limit of cost for the purchase of site and erection of a building thereon at Helena, Mont.

The Secretary read the bill.

The PRESIDENT pro tempore. Is there objection?

Mr. ALLISON. I do not object to this bill, but it seems to me that this morning we ought not to take up new matters of legislation.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Public Buildings and Grounds with an amendment, in line 7, after the word "increased," to strike out the word "to;" so as to make the bill read:

Be it enacted, etc., That the amount heretofore fixed as the limit of cost for the purchase of site and erection of building thereon for the accommodation of the post-office and United States land offices at the city of Helena, in the State of Montana, be, and the same is hereby, increased \$75,000, making the aggregate cost of building and site \$375,000, which sum is hereby fixed as the limit of cost of such site and building to be erected thereon.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

HOUSE BILL REFERRED.

The bill (H. R. 11738) for the relief of William L. Orr was read twice by its title, and referred to the Committee on Claims.

ESTATE OF DR. C. W. CROZIER.

Mr. BATE. I ask for the present consideration of the bill (H. R. 1871) for the relief of E. B. Crozier, executrix of the last will of Dr. C. W. Crozier, of Tennessee. It is a short bill. It will not take a minute.

Mr. PETTIGREW. Is the morning business completed?

The PRESIDENT pro tempore. There is no such thing as morning business. This session follows a recess.

Mr. PETTIGREW. This is the same legislative day as yesterday?

Mr. HALE. It is yesterday, in a legislative sense.

The PRESIDENT pro tempore. It is the same legislative day that yesterday was.

Mr. PETTIGREW. I have a resolution on the table which I introduced, proposing to discharge the Committee on Education and Labor from further consideration.

The PRESIDENT pro tempore. That goes over until the next legislative day.

Mr. PETTIGREW. It goes over until to-morrow. When will that be?

The PRESIDENT pro tempore. Next December, I hope. The Senator from Tennessee asks unanimous consent for the present consideration of a bill which will be read.

The Secretary read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby directed to pay to E. B. Crozier, executrix of the last will of Dr. C. W. Crozier, deceased, out of any money in the Treasury not otherwise appropriated, \$195, for services rendered as surgeon in the United States Army Hospital at Cuthbert, Ga., from June 15, 1865, to July 18, 1865, and for cost of transportation from Chattanooga, Tenn., to Clarksville, Tenn.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

Mr. PLATT of Connecticut. I should like to have some explanation of this bill.

Mr. BATE. It simply involves \$195 to be paid for services ordered by General Wilson. This man was a surgeon, and he was ordered by him to stay at Cuthbert, Ga., and take charge of the hospital there. He has approved it, and it has been approved and passed by the House. It has been approved by everyone. There is no contest about it.

The PRESIDENT pro tempore. What general?

Mr. BATE. General Wilson, and the Surgeon-General also of the Army.

Mr. PLATT of Connecticut. Why has it not been paid before? This was away back in 1865.

Mr. BATE. It has been brought up time and again, but never was able to get through. A similar bill passed once before in the Senate, but it did not pass the House. There can not be any difficulty about it. There is a report here.

Mr. PLATT of Connecticut. I will not object, except that I should like to say that if I can understand bills and know what they are, that is one thing, but if bills are taken up here in the confusion of the last hours before adjournment and hurried through without knowing anything about what they are—

Mr. BATE. You are right, and I approve your course.

Mr. PLATT of Connecticut. I shall avail myself of my privilege to make an objection.

Mr. BATE. You are right about it, sir.

There being no objection, the bill was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had passed the joint resolution (S. R. 122) respecting the unveiling of the statue of Lafayette at Paris, France, July 4, 1900.

The message also announced that the House had passed a joint resolution (H. J. Res. 289) making appropriation for payment of salaries of certain officers in the district of Alaska for the fiscal year ending June 30, 1901, and for other purposes; in which it requested the concurrence of the Senate.

ENROLLED BILLS SIGNED.

The message further announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by the President pro tempore:

A bill (S. 3419) making further provision for a civil government for Alaska, and for other purposes;

A bill (H. R. 6854) granting an increase of pension to Frederick W. Kellogg; and

A bill (H. R. 11646) making provision for emergencies in river and harbor works, for certain surveys, and for the diversion of certain appropriations or modification of provisions heretofore made.

SALARIES OF OFFICERS IN ALASKA.

The PRESIDENT pro tempore laid before the Senate the joint resolution (H. J. Res. 269) making appropriation for payment of salaries of certain officers in the district of Alaska for the fiscal year ending June 30, 1901, and for other purposes, which was read twice by its title.

Mr. CARTER. I suggest to the chairman of the Committee on Appropriations the propriety of having the joint resolution passed upon now.

Mr. ALLISON. I hope it will be passed without further delay. It is a necessary provision of appropriation in view of the bill recently passed.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution.

The joint resolution was reported to the Senate without amendment, ordered to the third reading, read the third time, and passed.

RECESS.

Mr. ALLISON. I move that the Senate take a recess until half past 10.

Mr. PETTIGREW. Mr. President—

The PRESIDENT pro tempore. The Senator from Iowa moves that the Senate take a recess until half past 10.

Mr. CHANDLER. Will the President wait a moment?

Mr. PETTIGREW. I should like to know if the resolution has yet passed with regard to final adjournment.

The PRESIDENT pro tempore. The Chair is informed that it has not.

Mr. PETTIGREW. Then, I ask unanimous consent to call up the resolution which I offered yesterday discharging the Committee on Education and Labor from the further consideration of two labor bills.

Mr. PLATT of Connecticut. Mr. President—

The PRESIDENT pro tempore. The Senator from Iowa was recognized, but was interrupted.

Mr. ALLISON. I move to take a recess.

Mr. BERRY. If the Senator will withhold his motion for one moment, I should like very much to have a small pension bill passed. It will not take two minutes. It is a House bill. The man is 82 years old. The bill has passed the House, and it has been reported by the committee. I should like to have the Senator yield for it.

Mr. ALLISON. I hope the Senator will not press that this morning. I insist on my motion, Mr. President.

The PRESIDENT pro tempore (at 10 o'clock and 10 minutes a. m.). The Senator from Iowa moves that the Senate take a recess until half past 10 o'clock.

The motion was agreed to; and at the expiration of the recess (at 10 o'clock and 30 minutes a. m.) the Senate reassembled.

RESISTANCE TO MILITARY AUTHORITIES IN 1847 AND 1848.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of War, transmitting in response to a resolution of the 6th instant, such information as the files and records of the War Department contain, showing the nature and extent of the insurrection against the military authorities of the United States in New Mexico and California in the years 1847 and 1848; which, with the accompanying papers, was referred to the Committee on Military Affairs, and ordered to be printed.

FINAL ADJOURNMENT.

Mr. ALLISON. I am instructed by the Committee on Appropriations, to whom was referred the concurrent resolution of the House of Representatives in relation to final adjournment, to report it favorably without amendment. I ask that it lie upon the table.

The PRESIDENT pro tempore. The Senator from Iowa reports a concurrent resolution from the House of Representatives, which will be read, and lie upon the table.

The Secretary read the concurrent resolution, as follows:

Resolved by the House of Representatives (the Senate concurring), That the President of the Senate and the Speaker of the House of Representatives be authorized to close the present session by adjourning their respective Houses on Wednesday, the 6th day of June, at 3 o'clock p. m.

HIRAM C. CHILDRESS.

Mr. BERRY. I ask unanimous consent for the present consideration of a pension bill for the relief of a man 82 years of age, and a Mexican war veteran. It is the bill (H. R. 7066) granting an increase of pension to Hiram C. Childress.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to place on the pension roll the name of Hiram C. Childress, late of Company I, First Texas Cavalry Volunteers, war with Mexico, and to pay him a pension of \$20 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

NAVAL APPROPRIATION BILL.

Mr. HALE. I present the report of the committee of conference on the naval appropriation bill.

The PRESIDENT pro tempore. The report will be read.

The Secretary read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate numbered 9, 50, 51, 52, 53, and 58 to the bill (H. R. 1045) making appropriations for the naval service for the fiscal year ending June 30, 1901, and for other purposes, having met, after full and free conference have been unable to agree.

EUGENE HALE,
GEORGE C. PERKINS,
B. R. TILLMAN,
Managers on the part of the Senate.
GEORGE EDMUND FOSS,
ALSTON G. DAYTON,
AMOS J. CUMMINGS,
Managers on the part of the House.

The PRESIDENT pro tempore. Will the Senate agree to the report of the committee of conference?

The report was agreed to.

Mr. HALE. Mr. President, let me state the attitude of the bill. Mr. CULLOM. The report has been agreed to.

Mr. HALE. Yes; I know it has been.

This leaves three amendments to the naval appropriation bill which have heretofore been disagreed to for the disposition of the Senate on any motion that may be made to concur, or to concur with an amendment, or to recede.

The armor-plate proposition, which is the point around which the contest revolves mainly, is still found to be the stumbling block in the way of an agreement. The Senate put on the proposition, with which Senators are familiar, of \$445 a ton as the price of armor plate, or the construction of an armor plant, mandatory upon the Secretary of the Navy. The House substituted for that an entirely different proposition, leaving the price of

armor plate discretionary with the Secretary of the Navy, and also leaving the building of an armor plant discretionary with the Secretary.

The Senate conferees, remembering the attitude that has been heretofore taken by the Senate upon this proposition, could not agree to that; neither were the conferees able to agree upon any price higher than \$445 per ton, because the House conferees believe—and they enforced their views with ability and emphasis—that the whole question of the price of armor should be left discretionary with the Secretary of the Navy. They did offer to make the building of an armor plant by the Government mandatory upon the Secretary.

Mr. BUTLER. On what condition is it to be made mandatory?

Mr. HALE. It is simply a direction that, if the Secretary can not make a contract which in his judgment is reasonable, he shall build an armor plant.

Mr. BUTLER. Without any limitation?

Mr. HALE. Without any limitation, I say, leaving that discretionary; and unless we can get such a contract as he believes to be reasonable, then he shall be obliged to go on and build an armor plant, for which an appropriation of \$4,000,000 is given.

Mr. BUTLER. Does the Senator think if we agree to pay \$840 a ton for armor for the three vessels that are now contracted for—that was the price the Senator from West Virginia [Mr. SCOTT] said was a fair price to be paid for this steel—that then they would agree to build an armor plant?

Mr. SCOTT. I object to the Senator putting words into my mouth which I did not use. I stated that \$851.20 a ton was the price of tool steel, but I did not say it was a fair price. I do not know anything about that. That is the market price.

Mr. BUTLER. I thank the Senator for correcting me, for I did not intend in the least to misrepresent him.

Now, suppose we offer to pay \$840 a ton for armor plate for the three vessels provided they will agree that a plant shall be built, and built at once. I should be willing to surrender as far as the armor plate for the vessels now under construction is concerned, and I should be willing to pay for armor for vessels now under construction whatever they ask, even if it were a thousand dollars a ton, provided we can have a Government armor plant, which will protect the Government in the future. It would be economy to do it. Since the armor trust have got us by the throat, that would be vastly better than to leave this whole thing open, which will mean that we shall never have an armor plant and mean continual extortion on their part and continued surrender on ours.

Does the Senator from Maine think the House conferees could be induced by our agreeing to pay \$851 a ton, or a thousand dollars a ton for the armor plate for the three vessels under construction, which would mean several million dollars' profit?

Mr. HALE. If we had offered to give \$500 a ton, they would have agreed to that, but the Senate conferees were not in a condition to make that offer.

Mr. BUTLER. Do I understand the Senator to say that if we agreed to give \$500 a ton for these three vessels, they would agree to the establishment of an armor plant?

Mr. HALE. It was for all the vessels.

Mr. BUTLER. And that then they would agree to build an armor plant and make it absolutely mandatory?

Mr. HALE. If the contractors did not take \$500, then the construction of an armor plant.

Mr. BUTLER. I mean to build an armor plant anyway?

Mr. HALE. No.

Mr. BUTLER. The only condition on which I would be willing to surrender and to give them a higher price would be to build an armor plant at the same time, so that we should not have to submit again.

Mr. CULLOM. You want an armor plant.

Mr. BUTLER. I want an armor plant. That is the only remedy for our trouble.

Mr. HALE. That question did not come into the discussion. If the Senate conferees had been willing to agree upon the price of armor plate at \$500 a ton instead of \$445 the House conferees would have accepted that, the royalties to be in addition.

Mr. PETTIGREW. I should like to ask the Senator if any argument was made by the conferees that we would get armor plate for less money if we yielded and left it discretionary with the Secretary?

Mr. HALE. Yes; that argument was made. It was said by the House conferees that they believed we should leave this—and that is their theory—discretionary with the Secretary. The contention of the Senate conferees was that it was better not to leave it with the Secretary, but to let Congress take the responsibility. But the House conferees argued that in all that had been done, the votes that had been taken, and the indications that the Secretary would insist, as they believed, upon getting this contract at \$445 a ton, and that he would get the armor plate for that, we would get it better in that way than by putting a mandatory provision in the bill.

Mr. BUTLER. That is, we would get armor plate for \$445; and yet they were willing to put in the limit of \$500 a ton, and argued it would be more economical not to put in \$445 a ton?

Mr. HALE. Their contention was that if it should be left discretionary with the Secretary of the Navy it would come out better than if we should fix the price.

Mr. BUTLER. But still they were willing to leave it discretionary with the Secretary to make contracts at the price of \$500 a ton instead of \$445?

Mr. HALE. Yes.

Mr. BACON. Mr. President, we can not hear what is passing on the other side between Senators, and it is important that we should know if we are to act upon it. Owing to the confusion in the Chamber I have not heard within the last five minutes what the Senator from Maine [Mr. HALE] has been saying.

Mr. HALE. I was trying to be heard.

Mr. President, under these conditions the committee of conference report a disagreement on these three items, the main item, of course, being that in relation to armor plate, because we can agree upon the others if we agree upon that. But the House conferees insisted with some force that they had taken the matter twice into the House on their proposition; that they had been sustained the first time by 18 majority, and the last time, on the vote taken either yesterday or the day before, by a majority of something like 50 or 55; and they said the Senate has never had the direct opportunity of voting on the House proposition with the discretionary power as to the establishment of a Government armor plant struck out; but that being mandatory, they declined to accede to any proposition with reference to price until the Senate had expressed itself by a vote on the proposition of the discretion being left to the Secretary of the Navy as to price, and if he can not get a reasonable contract, that he shall be directed to build an armor plant.

The matter is now in the hands of the Senate, and I think the Senator from Pennsylvania [Mr. PENROSE] is ready to offer an amendment that will test the sense of the Senate upon that proposition.

Mr. PENROSE. Mr. President, I have such an amendment which I desire to offer when the Senator is through with his remarks.

Mr. HALE. I have concluded.

Mr. PENROSE. I move that the Senate recede from its amendment numbered 58, and agree to the House amendments with the amendment which I will ask to have read at the Secretary's desk.

Mr. PETTIGREW. I ask that the House amendment be read.

The PRESIDENT pro tempore. The Senator from Pennsylvania [Mr. PENROSE] offers an amendment, which will be read.

The Secretary read the amendment, as follows:

That the Senate recede from its amendment numbered 58, and agree to the House amendment to the same with the following amendment:

That the Secretary of the Navy is hereby authorized to procure by contract armor of the best quality for any or all vessels above referred to, provided such contracts can be made at a price which, in his judgment, is reasonable and equitable; but in case he is unable to make contracts for armor under the above conditions he is hereby authorized and directed to procure a site for and to erect thereon a factory for the manufacture of armor; and the sum of \$4,000,000 is hereby appropriated toward the erection of said factory.

Mr. HALE. Mr. President, the Senator from Pennsylvania now asks that the House amendment be concurred in with the amendment which he has offered. This is the House amendment:

That the Secretary of the Navy is hereby authorized to procure by contract armor of the best quality for any or all vessels above referred to—

That includes all—

provided such contracts can be made at a price which in his judgment is reasonable and equitable; but in case he is unable to make contracts for armor under the above conditions he is hereby authorized, in his discretion, to procure a site for and to erect thereon a factory for the manufacture of armor; and the sum of \$4,000,000 is hereby appropriated toward the erection of said factory.

The Senator from Pennsylvania now moves—

Mr. PLATT of Connecticut. I should like to have read once more the proposition of the Senator from Pennsylvania right here, so as to get the two together.

Mr. HALE. The Senator from Pennsylvania moves to concur in the House amendment with an amendment substituting this same amendment, only in place of the words "in his discretion" he inserts the words "and directed;" so that it will read:

But in case he is unable to make contracts for armor under the above conditions, he is hereby authorized and directed to procure a site for and to erect thereon a factory for the manufacture of armor.

So that the sense of the Senate is to be taken on the proposition of the discretion being left with the Secretary of the Navy as to the price; but as to an armor plant, if he can not get a reasonable contract, he is obliged to build an armor plant.

Mr. BUTLER. I should like to ask the chairman of the committee if he thinks there are any conditions under which the House would agree to build an armor plant, if there is any price that we could pay which would satisfy them, or any condition that we could put into the bill, however extravagant or unreason-

able, that would induce them to agree that an armor plant should be absolutely built?

Mr. HALE. I can only say that the best suggestion we could get from the House conferees was \$500 per ton as the price to be fixed by Congress, and, if a contract can not be made at that price, to build an armor plant. But there was no indication, and neither did the Senate conferees in any way insist on building an armor plant if a contract was made. That subject was not controverted, because it was not brought forward by either the House or the Senate conferees.

Mr. BUTLER. The Senator has no opinion about what inducement we might be able to offer to the House which they might accept?

Mr. HALE. No; I have not. That is in the realm of imagination, and I can not tell anything about it.

Mr. BUTLER. Does the Senator think if we would offer to pay a thousand dollars a ton for the three vessels under construction, or \$540 a ton, they would agree to build an armor plant?

Mr. PETTUS. Mr. President, the Senate can not hear this conversation. Gentlemen are just talking to each other, and we can not hear at all what they are saying.

Mr. BUTLER. I asked the chairman of the committee if he thought there were any conditions under which the House would agree to the building of an armor plant?

Mr. HALE. The Senator means absolutely, without regard to contract?

Mr. BUTLER. Certainly.

Mr. HALE. No; there has been no indication as to that.

Mr. BUTLER. Suppose that we surrender and agree to pay whatever price is asked—that is my idea—provided we will proceed to build an armor plant for the other vessels, would the House agree to that?

Mr. HALE. The conferees have not discussed that matter, because neither body has committed itself to the proposition that it will have an armor plant anyway.

Mr. BUTLER. Then, Mr. President, I move to amend the amendment offered by the Senator from Pennsylvania [Mr. PENROSE] by striking out the words "but in case he is unable to make contracts for armor under the above conditions," and by inserting in lieu thereof the word "and."

Mr. GALLINGER. Let the amendment be read as it would read if amended.

Mr. BUTLER. At the suggestion of a member of the conference committee which has charge of this bill, I withdraw for the present the proposed amendment, and will allow the vote to be first taken on the amendment offered by the Senator from Pennsylvania; but I give notice that I shall renew the amendment later.

Mr. PENROSE. I should like to have the Senator's amendment stated. I do not understand it.

Mr. BUTLER. I have withdrawn it.

The PRESIDENT pro tempore. The amendment is withdrawn.

Mr. CHANDLER. Mr. President, the motion made by the Senator from Pennsylvania [Mr. PENROSE] correctly takes up the issue between the House and the Senate, and a vote upon that is certainly an appropriate method of determining what the course of the Senate shall be. His proposition is substantially the House proposition that the whole question of the price of armor plate shall be remitted to the Secretary of the Navy, and that he shall be authorized to pay any price he sees fit to pay without limit. His judgment is to be exercised as to whether the price is just and reasonable. But so far as the broad principle of legislation is concerned, the whole subject of fixing the price for armor plate is committed to the Secretary of the Navy; and that, Mr. President, is to be the end of all the investigations which Congress has made upon this subject. The investigation began five years ago, growing out of a contract made by the Bethlehem Company with the Russian Government for \$600,000 worth of armor at \$240 a ton.

The report of the committee made on February 11, 1897, was that a fair price for armor would be between \$300 and \$400 a ton; and on every vote which the Senate has taken since \$300 a ton has been adhered to up to the time when the majority amendment to pay \$445 a ton was adopted in the Senate by 2 majority.

Mr. President, the report of the committee in 1897 was a unanimous report and the vote of the Senate, until this last concession of \$445 a ton, was overwhelmingly against paying these large prices for armor.

A distinguished and influential Senator upon this floor has stated that the Senator from South Carolina [Mr. TILLMAN] and myself are responsible for the failure of the construction of the battle ships to proceed. Mr. President, in some sense that is true; but the Senator did too much honor to the Senator from South Carolina and myself, because our opinions would have been of very little importance and our efforts would have been of no consequence if they had not been ratified by overwhelming votes of the Senate, until \$445 a ton was fixed the other day by a majority of 2. The Senate has been convinced, and the Senate has taken

the responsibility, as I was glad to take my share of the responsibility, of not conceding that the price of armor shall be fixed by the armor-plate manufacturers, who, it is admitted, are in combination in this country, and who, I say, are in combination with the armor manufacturers of Europe.

For the Senate and the House of Representatives, in the face of a combination where there is no competition, to abandon its function of fixing a limit beyond which the price of armor shall not go would be a most cowardly and impotent conclusion.

This is to be, if all the vessels are to be provided for, a \$17,000,000 contract. The question is one which it is preeminently proper that Congress should decide, and the proposition of the House of Representatives is that here and now we shall turn all the pressure that is brought to bear in favor of this enormous price for armor upon one man, the Secretary of the Navy, and say to him, "Stop the building of these ships, if you see fit, unless you can get a price which you think is reasonable for armor plate." If that result is reached by a vote of the Senate, it is a surrender to the armor-plate manufacturers. No Secretary of the Navy will take the responsibility of delaying the construction of these ships until he can get armor plate at \$25 or \$50 or \$75 or \$100 cheaper than the price asked by the manufacturers of armor. No Secretary of the Navy would be, in my judgment, justified in doing it, because he would allow the larger interest to control, and he would say: "If the responsibility of stopping the construction of these eight new ships is to rest anywhere, it shall rest upon Congress, and not upon myself."

So, Mr. President, the effect of a vote in favor of the amendment proposed by the Senator from Pennsylvania would simply be to say to the Secretary of the Navy, Pay the price which this combination demands and that shall be the end of it.

Mr. President, I can only say, as I said the other day, that if the Senate does that I shall certainly feel myself well discharged from any further effort at economy in connection with armor, and shall consider that it is impossible to put any limit upon the price of armor plate. I have been governed in all the contest I have made on this subject from the time when I learned of the Russian contract at \$240 down to this hour by no other consideration than a sense of public duty. I think it is the duty of Congress to stand up squarely and manfully on this question, and either decide that it will or will not submit to the prices which the armor manufacturers may charge, and not run away from the whole question and put the burden upon the Secretary of the Navy.

Mr. PLATT of Connecticut. Mr. President, when this matter was last before the Senate I said that for myself I was ready then to agree to the House proposition, amending it so that it should be mandatory upon the Secretary to establish an armor plant provided he could not obtain the armor for the ships we are building and are going to build at prices which he considers just and reasonable.

Mr. TILLMAN. Mr. President—

Mr. PLATT of Connecticut. Well, now, will the Senator allow me just to get started? I said so because I was convinced then from the report of our conferees that we had reached a stage in the consideration of this bill where it was impossible to come to any other agreement with the House. The action of the conferees from that day to this—I believe it has been two days, perhaps three days, since this matter was last before the Senate—convinces me more conclusively that there is no other way out of it except to let this bill fail, and that we can not do.

Therefore I think the Senate ought to agree to the amendment proposed by the Senator from Pennsylvania, which is practically the House proposition, with an amendment making it mandatory upon the Secretary to build an armor plant if he can not get a contract at prices which he deems just and reasonable.

I want to say it is a condition that confronts us and not a theory. It is a question whether we are going to have a naval appropriation bill, and it is a question whether we are going to have any ships. We might just as well look that question right in the face. We are no greater than the House. We have no superior rights to the House of Representatives. They have just as much right to their opinion as we have to ours; they have just as much right to hold to their opinion as we have to ours; and legislation is only possible on this bill, I think, by the Senate coming to the House proposition.

Mr. President, the Senator from New Hampshire says he is not willing to have Congress surrender the right to fix the price of armor plate. It is perfectly evident that Congress can not fix the price of armor plate. The House and the Senate will never agree as to the price. What the Senator contends for is that the Senate shall be permitted to fix the price, not that Congress shall, because the Congress can not do it under these circumstances.

One other word; and I do not intend to take up the time of the Senate further. I felt when I last addressed the Senate on this subject that we would get this armor at \$445 a ton under the House provision. Of course I do not know that. The Senator

from New Hampshire thinks that if we pass this the Secretary of the Navy will give any price that the armor-plate manufacturers ask. I can not think that is true, Mr. President. Every Senator who spoke on the subject when this matter was last before the Senate said he had perfect confidence in the Secretary of the Navy.

I have confidence in the Secretary of the Navy, the present Secretary of the Navy or any Secretary of the Navy. If our Democratic friends should carry the election next fall and any Secretary of the Navy should be chosen under a Democratic Administration, I have confidence that that Secretary, looking at this debate, looking at this contention, considering all that has gone on during the last five years and all this investigation, would say to the armor-plate manufacturers as a final and ultimate proposition, "I will not give you any more than \$445 a ton. If you do not take that, I shall proceed to build an armor-plate factory." That is what I believe the practical result of adopting this amendment of the Senator from Pennsylvania would be.

I know it is a great responsibility to put on the Secretary of the Navy. I know we ought to be careful and cautious and wary about putting such a responsibility on the Secretary of the Navy; but, Mr. President, we have eight great ships waiting until there is some disposition of this question. We stand in need of those ships, battle ships and cruisers. We can not afford to let the ships which are already under construction rest and rot on the stocks, and we can not afford to wait until an armor-plate factory is constructed and ready to be put into operation to contract for and commence the building of the other five ships.

Mr. CHANDLER. Will the Senator from Connecticut allow me to make a suggestion?

Mr. PLATT of Connecticut. Certainly.

Mr. CHANDLER. Then the Senator is saying just what I say. The Secretary will have to pay the price which the armor-plate manufacturers demand, because he will not take the responsibility of waiting, as the Senator said a few minutes ago he would, until he could build an armor-plate factory.

Mr. PLATT of Connecticut. I do not think that follows. I think that practically, as a business proposition, not as a political proposition, not as a theoretical proposition, the armor plate will be obtained at \$445 a ton, and great as would be the injury to this country and the damage to this country not to go forward with the building of these ships, I believe that is the figure at which any Secretary of the Navy would say he would take the armor.

Mr. CULLOM. Will the Senator from Connecticut allow me to ask him a question?

Mr. PLATT of Connecticut. Certainly.

Mr. CULLOM. If the Senator is so sure that that figure will be what the Secretary of the Navy will adopt, why not put it in the bill?

Mr. PLATT of Connecticut. Because we can not put it in the bill.

Mr. CULLOM. Why can we not put it in the bill?

Mr. PLATT of Connecticut. Because the House will not let us.

Mr. CULLOM. How does the Senator know that the House will not?

Mr. PLATT of Connecticut. I know from the statement of the conferees.

Mr. ELKINS. They have voted three times that way.

Mr. PLATT of Connecticut. I know because they have voted three times—

Mr. CULLOM. We have voted three times the other way.

Mr. PLATT of Connecticut. And the last time by an increased majority that they will not. There is not one Senator on this floor who does not know in his heart that the House will not come to \$445.

Mr. PENROSE. If the Senator will permit me just at this point in his remarks, it is difficult to imagine what more powerful persuasion is required than the record of these three votes. The first majority was 18, the second 55, and the last vote was 96 to 45 votes, showing—

Mr. TILLMAN. No quorum voted. It was way in the night and the people had gone.

Mr. PENROSE. It shows an emphatic opinion on the part of the House, which they are little likely to give up at the request of the Senate.

Mr. PLATT of Connecticut. Why stand on pride of opinion—for that is what we are asked to do. I perhaps have as much pride of opinion in this matter as any other Senator, but I am willing to surrender my pride of opinion. I feel that the House ought to agree with us and fix the price at \$445 a ton or construct an armor plant in case the manufacturers will not sell the armor to us at that price; but I think I can recognize a condition when it exists. This is the last day of the session, I hope, and if an agreement is to come it is to come here and now, and on the House proposition as proposed to be amended by the Senator from Pennsylvania. If we did not adjourn to-day, if we refused and still continued the deadlock with the House, there would be

no prospect that at any future time we could come to an agreement with the House. They are just as set, and, if I may be permitted to use the word, they are just as obstinate on this subject as we are. We can not coerce them; we do not want to be coerced ourselves; but we must look at this situation as it is, and we must consider what is likely to come out of it if we accede to the House proposition.

I have thought of that matter; I have thought of what I would do if I were Secretary of the Navy; I have thought of what any other Senator on this floor would do if he were Secretary of the Navy; and I can but believe that with this settlement of the question we shall either get the armor plate at \$445 a ton or we shall commence the building of an armor-plate factory.

Mr. TILLMAN obtained the floor.

Mr. PERKINS. Mr. President—

The PRESIDENT pro tempore. The Senator from South Carolina is entitled to the floor.

Mr. TILLMAN. I will yield to the Senator from California.

Mr. PERKINS. Mr. President, as a member of the committee of conference I desire to say only a few words in explanation of the differences now existing between the House of Representatives and the Senate upon the armor-plate question. In doing so I desire to say that during the past five years, as a member of the Committee on Naval Affairs, I have given the subject-matter some thought and some consideration. I know that the public mind has been greatly agitated, and there has been a misunderstanding as to the real merits of the case. Possibly that is because the people have not taken the pains to investigate it as the members of your committee have done. As the Senator from Connecticut said, we are confronted not by a theory but by a fact. There is to-day a difference which must be reconciled or compromised or the appropriation bill for the support of the Navy will fail. It is a simple business proposition, one which, it seems to me, we ought to take up and discuss and adjudicate fairly between the parties at interest.

When this question was first brought up a few years ago, the plea of the Bethlehem Company and the Carnegie Company was, "The Government is our only customer; you do not give us work enough to employ us one-half of the time. If you will keep us busy, then we will make a liberal reduction upon the prices we are now charging. We could afford to manufacture this plate at a hundred or a hundred and fifty dollars per ton less than we are now charging you if you would give us continued work for our establishments." To-day we go to them and say, "We are prepared to meet you on your own business proposition. We are prepared to give you the manufacturing of armor plate, all you can do in the next ten or twelve or fourteen years."

The question is, What is a fair price; what is just and reasonable? It was shown by Secretary Herbert in his voluminous report, which was verified and corroborated by experts in the Navy Department, that the armor plate can be manufactured, after allowing a fair percentage for depreciation and for interest upon the plant, at \$300 per ton. The Senate, after considering this question, said we want the armor plate which costs perhaps twenty-five or fifty dollars per ton more because of a royalty which the Government must pay for a trade secret, in order to get the Krupp armor plate. We will give you \$445 per ton. While perhaps it is not in the province of Congress to fix the price which we shall pay or for the limit, yet it has been forced upon us by the action of the combination, by the action of the trust, the combination of capital which erected these works. Parenthetically, I want to say (and I do not speak offensively, for I do not blame them for wanting, and it is proper that they should have, a good return upon their investment) that at \$445 per ton they are making 15 per cent certainly and perhaps 20 per cent per annum upon their investment. There is no other manufacturing establishment which, extending over a period of years as this will do for twelve or fourteen or fifteen years, can make 10 per cent upon its capital.

Mr. SEWELL. Will the Senator allow me to interrupt him?

Mr. PERKINS. Certainly.

Mr. SEWELL. I want to know how the Senator makes his calculation? Steel has gone up about 100 per cent.

Mr. PERKINS. Steel advanced, it is true, from 50 to 75 per cent, but the prices are coming down again.

Mr. SEWELL. I only judge from the fact that steel rails which were sold last year at \$18 a ton are now selling at \$35.

Mr. PERKINS. That is true; but it is claimed by the friends of the companies which have the exclusive privilege, by reason of their facilities, of manufacturing this plate, that it is the labor, that it is the machinery, that it is the investment in the plants, and that the material cuts but small figure, so far as the steel billets are concerned. But even allowing a liberal margin of profit, which should be allowed and which we all concede to them, for no one should go into any business enterprise without expecting and having a good liberal return for his investment, there is no question but that Secretary Herbert's figures are correct, and

allowing the increased valuation upon the raw material, it would still prove the most profitable investment of any manufacturing establishment that I know of in this country at the present time. By reason of the prosperous conditions prevailing throughout the United States at this time, everything is on the high tide of prosperity, but we should consider this as a matter extending over a term of years and a period during which men who make their investment may look for returns which are remunerative and satisfactory.

I have not favored the building of an armor-plate factory by the Government, because I have not deemed it a wise business policy for this Government to engage in such an enterprise. I do not believe, as a business proposition, that we could manufacture the armor within 25 per cent of what private companies are manufacturing it for, but I do claim that \$445 per ton, which the Senate by a majority vote decided to pay for the plate, is a fair and remunerative and equitable business price for the plate. I realize, however, that the House of Representatives, a coordinate legislative branch of this Government, is entitled to the same consideration for its opinion as we are as a body and as we are as individuals, and therefore as one of the members of the committee I have had a desire, so far as my vote would aid, to meet them in a spirit of reciprocity, in order to see if we could not agree upon an equitable price that would be fair and just, or a proposition, but they said "no; this is our limit, and not one cent beyond it."

We have taken the initiative. We have said, "Here is the limit;" and I for one do not propose by my vote to shirk the responsibility and say that the Secretary of the Navy may fix the price in his own discretion. Let us here decide what the limit shall be; and if a majority say it is \$500 or \$545 per ton, let us take the responsibility, and not delegate it to your executive officer, the Secretary of the Navy. It seems to me that is the manly and the business course for us to pursue.

Speaking for myself, I shall cast my vote for \$445 per ton as the maximum limit which I think the Government ought to pay. If the Bethlehem and the Carnegie works and other companies will not manufacture the plate at those figures, although I shall regret to see the Government go into this line of manufacturing, I shall vote for an appropriation to build an armor-plate factory and commence the manufacture of this plate by the Government.

But I beg Senators not to delegate it to the Secretary of the Navy to fix the limit. Let us take the responsibility, and if there is any blame, if we make a mistake, let the mistake be ours and not that of the Secretary of the Navy. In saying this I do not wish by implication in the most remote degree to reflect upon the high character and the integrity and the ability of the distinguished present Secretary of the Navy or of any of those who have preceded him. As has been said by the Senator from New Hampshire [Mr. CHANDLER], who was at one time Secretary of the Navy, no matter who may occupy that high position, he feels the responsibility resting upon him, and he will do his duty conscientiously and fairly as the light is given to him to see his duty in the premises.

I hope the Senate will stand by the report of the committee of conference, letting the responsibility rest upon the House of Representatives, if they will make no concession from the position they have taken on this question.

Mr. TILLMAN. Mr. President—

Mr. FORAKER. Will the Senator yield to me for a moment? Mr. TILLMAN. Certainly.

Mr. FORAKER. I want to introduce two resolutions, which are exactly the same, one with respect to the Buffalo Exposition and the other the exposition to be held at Toledo, Ohio. I should like to have them considered at once.

The PRESIDENT pro tempore. The Senator from Ohio submits a resolution, which will be read for information.

Mr. HALE. I think we should have the regular order. I do not know where this comes from.

Mr. FORAKER. It will take but a moment. There is an urgency about it.

Mr. CHANDLER and Mr. GALLINGER. What is it?

Mr. FORAKER. If the Senator from Maine prefers, I will wait until the conference report is disposed of.

Mr. HALE. Of course if the Senator comes in he understands there are a great many other Senators who want to get in. This is the one important thing the Senate ought to decide, and I am notified now by Senators that if I let this in others will appeal to me.

Mr. FORAKER. I will withdraw the request for the present consideration of the resolutions, and renew it after the conference report is disposed of. I thought it might help the Senator from Maine if a little time were given to meditation.

Mr. HALE. If the Senator were alone in his request I certainly should yield to him anything.

Mr. TILLMAN. Mr. President, I shall apologize to the Senate for briefly reviewing the situation and explaining to those who

do not exactly understand just what the parliamentary status is, and brushing away some of the cobwebs that have been thrown around this measure.

If we accept the bill of the House just as they sent it to us, without any amendment from the Senate at all, we will find ourselves in this shape: The three battle ships now on the stocks under construction will have armor contracted for. There will be no delay in their completion. Therefore, Senators who are urging the importance and necessity of settling this armor question can not add that as any argument to coerce Senators into voting against their wishes and judgment. Then if we leave the bill as the House sent it to us, and if they do not like it, they ought not to have sent it here in the form in which it came. We will simply find ourselves without providing for any armor other than for the three battle ships and with no liberty to construct the ships ordered in this and previous bills. In other words, there will be no delay in completing the three ships; there will only be delay in contracting for the ships ordered and for the armor for the three ships and the ships ordered.

Now, Senators, this is no small matter, and it is one that is well worth the attention of every member in this Chamber. We have now under contract 3 battle ships. We ordered in the bill a year ago 3 other battle ships. We have ordered in this bill 2 battle ships, making 8 battle ships in all. We ordered a year ago 3 armored cruisers of the first class. We order in this bill 3 armored cruisers of the second class, making 6 armored cruisers. Then we have 3 cruisers of the second class ordered in this bill, making in all 14 new ships and 3 battle ships on the stocks, all of which have armor provided for them by this act.

Mr. HALE. And also the 4 monitors.

Mr. TILLMAN. Well, the 4 monitors are under contract. Their armor is already contracted for except a small part of it. Right there I want to remind Senators of the fact that the contracts we have with the naval constructors or the shipbuilders provide that if when those ships are completed and ready for their trial trips the Government has not furnished the armor, the Government can receive those ships, put the weight on them that would equalize the armor which they were to receive so that they would have the draft and load required by the contract, and that the Government can then receive those ships if they come up to the requirements as to speed, and keep them just the same as we have our other ships, with no loss, no damage, no injury, no exigency of any kind, requiring that we should determine this matter now and settle it for all time.

Mr. HALE. Except the armor plate.

Mr. TILLMAN. Except the armor plate. We are already tying up some of the battle ships that we have completed, and there can be no good reason why the Senate should break its neck, so to speak, tumbling over its own action, and retrograding or turning around and receding from its vote for the last four years on this armor question in order to give the House its way.

Gentlemen, I say deliberately and calmly, we are face to face now, if this thing goes through as the Senator from Pennsylvania proposes, with a scandal second to none in our history, neither Crédit Mobilier nor anything else, because the chairman of the Naval Committee, a moderate man, a judicious man, a man who weighs his words, has proclaimed on this floor that the Government is being robbed by this armor trust, that they have the knife at our throats, and we propose to allow them to continue to rob us and to cut our throats if this thing goes through.

Mr. PENROSE. Mr. President, I desire emphatically to resent the statement of the Senator from South Carolina that there is any suspicion of scandal with the amendment which I have proposed or with any question which I submit to this body. I desire to state that I consider my notions of the proper way for the Government of the United States to transact its matters in a businesslike and honorable way fully up to any standard which the Senator may set up here.

Mr. TILLMAN. Mr. President, I am not making any personal allusions whatever and I am not endeavoring to prejudice any man's mind. I am stating the facts that are undisputed and quoting the chairman of the Committee on Naval Affairs as to the conditions which confront us as a Senate in regard to the demands that are made upon us now by this trust. After we have built their factory and given it to them, as testified to by Secretaries Tracy and Herbert, yet they are unwilling to give us armor at anything like a reasonable price, and we have the testimony overwhelmingly presented here in an official shape after an investigation by the Senate committee and from the Secretary of the Navy that \$300 is a fair price, with a liberal profit given them.

Now, we are face to face with a construction involving \$100,000,000—I mean the ships that are ordered here, and the armor for those ships represent \$100,000,000 in cash; and you can not complete this programme of building these ships and making this armor for them in six years to save your life, unless the facilities for creating armor are increased.

Then, why this hurry? What is the importance and necessity

for having a contract made for all this armor? Why can we not go over until next year if we can not get the House to agree to anything that is reasonable, as we consider it? Why can we not consider this question on its merits as to present necessities and decide what we need now, and leave the future to take care of itself?

Mr. ALLISON. Do I understand the Senator from South Carolina to suggest that we shall recede from all our amendments and allow the bill to stand as it came from the House?

Mr. TILLMAN. I would rather see that than to see the Secretary of the Navy put face to face with the responsibility, which we cowardly shirk here, to determine what is a reasonable and a fair price. I had rather let the House take the responsibility of having the Navy hung up and not have it put under contract to be built and let the blame rest where it pleases rather than that we should take a back track here after we have investigated the thing for four years and agreed that \$300 a ton was enough.

Mr. ALLISON. I am inclined to agree with the Senator. As I understand it, here are three vessels ready for armor.

Mr. TILLMAN. And the House provides armor for them.

Mr. ALLISON. The House provides armor for them, and there is no pressing necessity for immediate armor for the other vessels.

Mr. TILLMAN. None in the world; and we are tying up battle ships now, so that there is no pressing necessity to get new battle ships.

Mr. ALLISON. Now, is it the proposition of the Senator from South Carolina that the Senate shall recede from its amendments and allow the original text of the House to remain?

Mr. TILLMAN. I am willing to make that motion.

Mr. ALLISON. I only wanted to know the Senator's view.

Mr. TILLMAN. I want the Senator to understand my position. I want a strong Navy. I want the Navy that we have ordered constructed. But what I am contending for is that we are not forced to yield to the demands of this trust in the face of the conditions which exist and which are acknowledged to exist.

Mr. TELLER. Mr. President, I was not in when the proposition was first stated, and I am not certain that I know exactly what it is. I wish to ask the chairman of the committee to explain it. I want to know from the chairman what the proposition is so far as our conferees are concerned. What do they ask us to do?

Mr. HALE. The conferees have simply reported that they can not agree with the House conferees, and they leave the whole matter to the Senate. There is an amendment, offered by the Senator from Pennsylvania [Mr. PENROSE], which covers, as I have said, the House proposition.

Mr. BACON. We can not hear on this side a word that the Senator says.

Mr. HALE. The Senator from Colorado asked me what the attitude of the Senate conferees in this matter is. I say they simply report that they are unable to agree with the House conferees, and that leaves the subject open to the Senate. They did that all the more readily, and in this I repeat what I have already said, because the House conferees claimed that while they had taken their proposition into the House twice on a yeo-and-nay vote and had thereby determined what was the sentiment of the House, the Senate had never had an opportunity of voting on the House proposition.

Mr. BACON. Did we not vote on it the other day almost unanimously?

Mr. HALE. That undoubtedly was not a fair test. The Senate voted unanimously to sustain the conferees on its proposition, but there has been no—

Mr. TELLER. What do they call their proposition?

Mr. HALE. Their proposition is to leave it discretionary to the Secretary of the Navy.

Mr. TELLER. That was not their proposition in the original bill.

Mr. HALE. No; not in the original bill, of course.

Mr. TELLER. Then I understand that they now insist upon terms different from what they incorporated in the original bill.

Mr. HALE. That is technically true, but the original House proposition as it would have come to us was ruled out on a point of order, so that the committee which had charge of the subject-matter never had an opportunity of getting in their proposition.

Mr. TELLER. Then upon that statement the proposition which came to us and which is in this bill, the amendment numbered 58, was the sentiment, evidently, of the House at that time?

Mr. HALE. No; it was not.

Mr. TELLER. But the House put it in. The House sent us that provision.

Mr. HALE. If the Senator will allow me—

Mr. TELLER. Certainly.

Mr. HALE. In connection with the proposition of armor for the three ships at \$545 the committee put in the other proposition, and they were ruled out on a point of order on the ground that

as the law stood the \$300 limit was the law, and therefore the committee on the part of the House and the majority on the part of the House never had an opportunity to get at what they desired until they put this amendment on. So the Senator will see that it would not be right to say that the House has changed its ground, because it has not done so. It never committed itself to the three ships and the \$545.

Mr. TILLMAN. If I remember the debate in the House, it assumed a shape in which the Naval Committee found itself forced to yield. There were so many men dissatisfied with their proposals in regard to armor that they had simply to send the bill over here like it came, with a bald proposition to provide for three ships and leave the question of armor for all the balance of the ships undecided.

Mr. HALE. No; that was not so.

Mr. TILLMAN. How did it get here if that is not so?

Mr. HALE. That was ruled out on a point of order.

Mr. TILLMAN. But that was the amendment which the House now rejects. The House committee certainly had a right to frame a bill and provide in its own language for what it wanted, and what they put in was ruled out or went out by a vote.

Mr. HALE. The Senator is wrong about that. He is thinking of the Vandiver amendment, which was not the committee proposition. That is not what was ruled out and that the committee put in. It was not the Vandiver amendment, but their whole proposition, that they are seeking for now, was ruled out because it conflicted with the statute fixing the price at \$300. Therefore it is not fair to say, I repeat, that the House has changed its attitude.

Mr. TELLER. In considering this question we must consider what the House attitude was by the bill that the House sent us. They sent us a bill here which authorized the Secretary of the Navy to procure by contract armor of the best quality for the battle ships named the *Maine*, *Ohio*, and *Missouri*, without any limit. That is a small part of the proposed purchase that we have already made necessary by our appropriations and our determination to build more ships. Now, do I understand the chairman of the committee to say that there is difficulty now in getting the House to agree to this, the original proposition as it came to us?

Mr. HALE. Neither the House nor the Senate conferees are for that proposition, because—

Mr. TELLER. Neither?

Mr. HALE. I will tell the Senator—

Mr. CHANDLER. Will the Senator allow me?

Mr. HALE. That would leave us with nearly a hundred million dollars' worth of ships hung up and nothing whatever done about furnishing armor.

Mr. TELLER. How is that?

Mr. HALE. It would leave us with nearly a hundred million dollars' worth of ships authorized without doing one single thing for them except in the case of the three ships, and in that case we would give the highest price that the contractors have demanded.

Mr. TELLER. We might have to pay five or six hundred thousand dollars, I presume, for that, and that would be better than to buy all this armor at the price the House committee suggested.

Mr. HALE. I do not think so.

Mr. TELLER. At \$545 a ton.

Mr. HALE. Let me tell the Senator what I think is a feature that has not yet been brought out. I am by no means certain that this proposition, doing nothing except to pay the contractors their highest limit, \$545, for these three ships, would be very dissatisfying to them. I know if I were a contractor how I should consider it if the Senate and the House justifies that proposition this year and does nothing to end this subject for the future. The next year the contractors will come in and say, "We will do the same thing for another set of ships."

Mr. TILLMAN. Will the Senator from Colorado allow me?

Mr. HALE. The Senator must allow me to finish. I have not yet gotten through.

Mr. TELLER. Certainly; I will allow the Senator.

Mr. HALE. If I were a contractor, I should certainly say that I will take the \$545, which is the biggest price to be had, for these ships that are two years behindhand, and next year I will come in and offer to do the same thing for another set of ships that are then two years behindhand, and the Senate and House may do just what they did last year, and in the end we would have to pay year by year the contractor just what he asked, \$545 a ton. I am not in favor of that.

Mr. TILLMAN. If the Senator from Colorado will allow me, I will call the attention of the Senator from Maine to this condition: There are about \$17,000,000 worth of armor and about \$88,000,000 worth of ships involved at present. The influences that are behind the House, as I happen to know, are the shipbuilders and the armor manufacturers in combination; but if we accept the House bill providing for the armor and do not provide a way by which the ships shall be constructed or contracted for, we divide the forces that are now almost compelling Congress to do

this thing, and the shipbuilders will move to have the House do something to relieve the conditions by which they are not to get contracts for ships.

Mr. HALE. I do not share in the Senator's feeling that all this thing is a matter of influence behind one body or another. I do not think that any influence of contractors or shipbuilders is in any degree controlling the event that we are now conducting. I do not think it is controlling the Senate or the House. I am not engaged in any movement that shall divide the ship contractors and the armor-plate contractors. Each has a fair field. It is a question as to what we shall do in the exercise of our own judgment and discretion. There is not a Senator here, I fancy, nor a Member of the House, who is in any way influenced by the armor-plate manufacturers or by the ship contractors. I do not think that enters into the question at all.

Mr. CHANDLER. Mr. President, will the Senator from Colorado allow me a word?

Mr. TELLER. Certainly.

Mr. CHANDLER. I thought I had better say it, inasmuch as the Senator started to make a speech and has not begun it yet. I thought I had better speak before he began.

The Senator, it seemed to me, was quite right in trying to bring out the fact that the House are not contented with their own bill. The Senator was quite right in that statement. The bill as it came from the House of Representatives to this body on this subject they will not now take, and the conferees will not now take it. He was quite right in saying that. For one I would be willing to take it and let this controversy go over until next winter.

Possibly the motion had better be made to take the original House bill, because, as the Senator from Colorado says, we must deal with the House of Representatives according to its bill and not according to a proposition that was made and ruled out on a point of order, as the Senator from Maine said. We deal with the bill as it came here, and the House conferees will not take their original bill.

Mr. TELLER. Mr. President, there is not any great difficulty in this question if we conclude that we want to take the House proposition as it came here. We can compel the House to accept that. They can not get away from that. The question is whether we want that or not. It seems to me that every man who has listened for five years to these yearly debates ought to be willing to build an armor plant. I believe that the American people, seeing this unseemly exhibition—for it is unseemly—

Mr. SPOONER. It grows every year.

Mr. TELLER. It grows, as the Senator from Wisconsin suggests, every year. We are practically charging ourselves, or some portion of this body or the other, session after session, with collusion with the armor-plate manufacturers. The public press is repeating it. The American people will believe, whether it is truthful or not—there is great grounds for them to believe it—that the armor-plate manufacturers have what is called in common parlance a political pull so great that we can not compel them to produce armor and sell it to the Government at a fair price, nor can we get the power here to authorize the Government to build a plant.

Mr. President, I repeat, such a condition is unseemly, such a condition is disgraceful to the American Legislature, and one that must eventually bring us into contempt with the American people. We either ought to have the power here to say to these combines, "You shall sell us the armor at what we believe to be a fair price, or you can not sell us any at all."

Mr. PENROSE. Mr. President, I should like to ask the Senator—

Mr. TELLER. Mr. President, I do not care to hear the Senator just now. The Senator's proposition is a disgraceful proposition. It is a surrender of the American legislative body to the executive department. As the Senator from New Hampshire said, and I am using his term, it is either a cowardly proposition or it indicates that somewhere there is a corruption.

Why, Mr. President, should you say to the executive department of the Government, "Buy 37,000 tons of armor to-day, when you do not need more than five or six thousand tons, and pay any price that these armor-plate combines choose to demand of the American people, and pile up your armor plate for years simply that they may make a profit on it?" The American people will not believe that we have acted with common judgment or common honesty when that takes place.

Now, Mr. President, I think the time has come for plain talk in this matter. The chairman of the committee says that there is no backing behind this concern. The American people will believe, and I have no hesitation in saying I believe, that there is a great backing behind these combines; that a great political organization in this country hopes to make profit—I do not mean a money profit, I mean a political profit—by giving to this combine an unreasonable price, and what the Senator from Maine has said is a robber's demand.

Mr. ALLISON. I ask the Senator from Colorado to yield to me.

Mr. TELLER. If I can proceed when we come into session again I will yield.

Mr. ALLISON. I move that the Senate do now adjourn.

The PRESIDENT pro tempore. The Senator from Iowa moves that the Senate do now adjourn.

The motion was agreed to; and (at 11 o'clock and 55 minutes a. m., Wednesday, June 6, 1900) the Senate adjourned until Wednesday, June 6, 1900, at 12 o'clock m.

NOMINATIONS.

Executive nominations received by the Senate June 5, 1900.

APPOINTMENT IN THE VOLUNTEER ARMY.

To be assistant surgeon with the rank of first lieutenant.

Joseph H. Carroll, of Ohio, acting assistant surgeon, United States Army, June 4, 1900, vice Wamsley, Forty-ninth Infantry, United States Volunteers, promoted.

PROMOTIONS IN THE VOLUNTEER ARMY.

Twenty-seventh Infantry.

Second Lieut. George A. Vernon, Twenty-seventh Infantry, United States Volunteers, to be first lieutenant, March 31, 1900, vice Bailey, dismissed.

Forty-first Infantry.

First Lieut. John H. Boston, jr., Forty-first Infantry, United States Volunteers, to be captain, May 31, 1900, vice Baker, resigned.

Second Lieut. Benjamin L. Towson, Forty-first Infantry, to be first lieutenant, May 31, 1900, vice Boston, promoted.

APPOINTMENT IN THE VOLUNTEER ARMY.

Forty-seventh Infantry.

First Sergt. Wiley J. Brickey, Company H, Forty-seventh Infantry, United States Volunteers, to be second lieutenant, June 4, 1900, vice Devine, resigned.

COMMISSIONER OF INTERIOR OF PORTO RICO.

William H. Elliott, of Indiana, to be commissioner of the interior of Porto Rico, an original appointment under the provisions of an act entitled "An act temporarily to provide revenues and a civil government for Porto Rico, and for other purposes," approved April 12, 1900.

ATTORNEY-GENERAL OF PORTO RICO.

John A. Russell, of Illinois, to be attorney-general of Porto Rico, an original appointment under the provisions of the act of Congress entitled "An act temporarily to provide revenues and a civil government for Porto Rico, and for other purposes," approved April 12, 1900.

MARSHAL OF THE SUPREME COURT OF PORTO RICO.

Samuel C. Bothwell, of Porto Rico, to be marshal of the supreme court of Porto Rico, an original appointment under the provisions of the act of Congress entitled "An act temporarily to provide revenues and a civil government for Porto Rico, and for other purposes," approved April 12, 1900.

JUSTICES OF SUPREME COURT OF HAWAII.

W. F. Frear, of Hawaii, to be chief justice of the supreme court of the Territory of Hawaii.

Clinton A. Galbraith and Antonio Perry, also of the Territory of Hawaii, to be associate justices of said court. Original appointments under the provisions of the act of Congress entitled "An act to provide a government for the Territory of Hawaii," approved April 30, 1900.

JUSTICES OF CIRCUIT COURT OF HAWAII.

Abram S. Humphreys, of Hawaii, to be first judge of the circuit court of the first circuit; R. B. Silliman, of Hawaii, to be second judge of the circuit court of the first circuit; John W. Kalua, of Hawaii, to be judge of the circuit court of the second circuit; W. S. Eddings, of Hawaii, to be judge of the circuit court of the third circuit; Gilbert F. Little, of Hawaii, to be judge of the circuit court of the fourth circuit, and J. Hardy, of Hawaii, to be judge of the circuit court of the fifth circuit. Original appointments under the provisions of the act of Congress entitled "An act to provide a government for the Territory of Hawaii," approved April 30, 1900.

COLLECTOR OF INTERNAL REVENUE.

William Haywood, of Honolulu, to be collector of internal revenue for the district of Hawaii, new office provided by the act of Congress approved April 30, 1900.

POSTMASTERS.

Frank H. Owen, to be postmaster at Winters, in the county of Yolo and State of California, in the place of Mary Bryce, whose commission expired March 18, 1900.

Hiram H. Richmond, to be postmaster at Auburn, in the county of Placer and State of California, in the place of W. A. Shepard, whose commission expired May 29, 1900.

Clinton B. Ault, to be postmaster at Goldfield, in the county of Teller and State of Colorado, in the place of C. A. Huxley, resigned.

Guy U. Hardy, to be postmaster at Canon City, in the county of Fremont and State of Colorado, in the place of B. F. Shaffer, whose commission expired May 29, 1900.

William E. Gates, to be postmaster at Glastonbury, in the county of Hartford and State of Connecticut, in the place of C. O. Talcott, whose commission expired June 1, 1900.

Franklin McC. Brown, to be postmaster at Brunswick, in the county of Glynn and State of Georgia, in the place of W. F. Symons, whose commission expired May 15, 1900.

Cornell H. Brown, to be postmaster at Batavia, in the county of Kane and State of Illinois, in the place of Andrew Challman, deceased.

Scudder H. Trego, to be postmaster at Halstead, in the county of Harvey and State of Kansas, in the place of R. M. Todd, whose commission expired March 10, 1900.

Lawrence W. Dower, to be postmaster at Easthampton, in the county of Hampshire and State of Massachusetts, in the place of Lawrence W. Dower, whose commission expired December 19, 1899. (Reappointment.)

Albert B. Dresser, to be postmaster at Needham, in the county of Norfolk and State of Massachusetts, in the place of Albert B. Dresser, whose commission expired March 13, 1900. (Reappointed.)

John J. Whetton, to be postmaster at Highlandville, in the county of Norfolk and State of Massachusetts, in the place of John J. Whetton, whose commission expired April 30, 1900. (Reappointed.)

William T. Hosner, to be postmaster at Romeo, in the county of Macomb and State of Michigan, in the place of J. B. Lucas, whose commission expired April 25, 1900.

William C. Mertz, to be postmaster at St. Charles, in the county of Saginaw and State of Michigan, the appointment of a postmaster for the said office having, by law, become vested in the President on and after April 1, 1900.

Edward L. Bjorkquist, to be postmaster at Moorhead, in the county of Clay and State of Minnesota, in the place of Edward Fay, whose commission expired February 13, 1899.

Andrew R. McGill, to be postmaster at St. Paul, in the county of Ramsey and State of Minnesota, in the place of R. A. Smith, resigned.

Benjamin D. Underwood, to be postmaster at Fergus Falls, in the county of Ottertail and State of Minnesota, in the place of J. O. Billings, resigned.

Samuel J. Anderson, to be postmaster at Winnemucca, in the county of Humboldt and State of Nevada, in the place of Harry Warren, whose commission expired May 29, 1900.

George D. Small, to be postmaster at Hanover, in the county of Grafton and State of New Hampshire, in the place of G. H. Hitchcock, resigned.

John Hubbard, to be postmaster at Asbury Park, in the county of Monmouth and State of New Jersey, in the place of A. W. Dey, whose commission expired May 26, 1900.

Robert A. Cruikshank, to be postmaster at Salem, in the county of Washington and State of New York, in the place of G. J. Webb, whose commission expired March 2, 1899.

Mattie E. Hawkins, to be postmaster at Louisburg, in the county of Franklin and State of North Carolina, in the place of J. J. Barrow, whose commission expired February 1, 1900.

Walter Elliott, to be postmaster at Ada, in the county of Hardin and State of Ohio, in the place of H. H. Young, deceased.

Louis A. Koons, to be postmaster at Massillon, in the county of Stark and State of Ohio, in the place of Felix R. Shepley, whose commission expired April 13, 1900.

E. Calvin Miller, to be postmaster at New Carlisle, in the county of Clark and State of Ohio, in the place of A. M. Kissinger, whose commission expired March 13, 1900.

J. B. Black, to be postmaster at Butler, in the county of Butler and State of Pennsylvania, in the place of John W. Brown, whose commission expired May 29, 1900.

William A. Feist, to be postmaster at White Haven, in the county of Luzerne and State of Pennsylvania, in the place of T. P. McAndrews, whose commission expired February 13, 1900.

C. E. Geyer, to be postmaster at Catawissa, in the county of Columbia and State of Pennsylvania, in the place of C. L. Pohe, whose commission expired May 6, 1900.

W. S. Gleason, to be postmaster at Johnsonburg, in the county of Elk and State of Pennsylvania, in the place of John T. Wrathall, deceased.

D. A. Wright, to be postmaster at Union City, in the county of Erie and State of Pennsylvania, in the place of A. F. Young, removed.

Thomas G. Peachy, to be postmaster at Williamsburg, in the county of James City and State of Virginia, in the place of Thomas M. Ware, deceased.

George D. C. Pruner, to be postmaster at Blaine, in the county of Whatcom and State of Washington, the appointment of a postmaster for the said office having, by law, become vested in the President on and after April 1, 1900.

APPOINTMENT IN THE ARMY—GENERAL OFFICER.

Brig. Gen. Joseph Wheeler, United States Volunteers, to be brigadier-general, United States Army, vice Otis, nominated for appointment as major-general, United States Army, to rank from the date of acceptance by that officer of his commission as major-general.

COLLECTOR OF CUSTOMS.

John K. Gladden, of Maryland, to be collector of customs for the district of Annapolis, in the State of Maryland, to succeed Louis S. Clayton, whose term of office has expired by limitation.

POSTMASTERS.

John F. Nesbett, to be postmaster at Corona, in the county of Queens and State of New York, in the place of G. L. Rapelye, removed.

(Through error Mr. Nesbett was nominated to the Senate as John L. Nesbit.)

Clark Grier, to be postmaster at Dublin, in the county of Laurens and State of Georgia, in the place of V. L. Stanley, whose commission expired January 10, 1899. (Mr. Grier is now serving under a temporary commission issued during the recess of the Senate.)

Charles S. Shindel, to be postmaster at Tamaqua, in the county of Schuylkill and State of Pennsylvania, in the place of Charles Beard, whose commission expired January 7, 1900.

Walter K. Landis, to be postmaster at San Juan, Porto Rico, an original appointment under the provisions of the act of Congress entitled "An act temporarily to provide revenues and a civil government for Porto Rico, and for other purposes," approved April 12, 1900.

NOTE.—Mr. Landis is now postmaster at San Juan, Porto Rico.

WITHDRAWAL.

Executive nomination withdrawn June 5, 1900.

John L. Nesbit, to be postmaster at Corona, in the State of New York.

CONFIRMATIONS.

Executive nominations confirmed by the Senate June 5, 1900.

DISTRICT JUDGE.

John R. Hazel, of New York, to be United States district judge for the western district of New York.

PROMOTIONS IN THE NAVY.

Lieut. Albert Gleaves, to be a lieutenant-commander in the Navy, from the 25th day of May, 1900.

Lieut. (Junior Grade) Waldo Evans, to be a lieutenant in the Navy from the 12th day of December, 1899.

TO BE LIEUTENANTS (JUNIOR GRADE).

Frank H. Brumby.
Thomas M. Dick.
Charles K. Mallory.
Frank P. Baldwin.
William C. Davidson.
Newton Mansfield.
Harris Laning.
James P. Morton.
Daniel M. Garrison.
Franklin D. Karns.
David W. Todd.
John V. Klemann.
William R. Cushman.
Henry V. Butler, jr.
Walter R. Gherardi.
James J. Raby.
James E. Walker.
Frederic N. Freeman.
William H. Standley.
Arthur T. Chester.
Cassius B. Barnes.
Albion J. Wadham.
Kenneth M. Bennett.
Edward H. Watson.
Orlo S. Knepper.
Michael J. McCormack.
John F. Marshall, jr.
Rufus Z. Johnston, jr.
Ernest F. Eckhardt.
Edward H. Dunn.
John Halligan, jr.

William C. Watts.
George L. Smith.
Herman J. Elson.
Wilbur G. Briggs.
Fletcher L. Sheffield.
Ralph N. Marble, jr.
Henry C. Dinger.
James A. Hand, jr.
Lyman A. Cotten.
Edward Woods.
Alexander N. Mitchell.
Charles Boone.
Louis Shane.
Edward W. McIntyre.
Frank L. Pinney.
William P. Cronan.
Ulysses S. Macy.
Zeno E. Briggs.
Walter B. Tardy.
William T. Tarrant.
Guy W. Faller.
Clarence A. Abele.
William B. Wells.
Yancey S. Williams.
Edward T. Constien.
Thomas L. Johnson.
George T. Pettengill.
John A. Schofield.
George C. Sweet.
Franck T. Evans.
Morris H. Brown.
David C. Hanrahan.
John F. Babcock.
John S. Graham.
Charles P. Nelson.

To be assistant naval constructors.

Henry Williams, and
Henry T. Wright.

APPOINTMENT IN THE MARINE CORPS.

To be a second lieutenant.

Walter G. Roper.

FOR APPOINTMENT IN THE VOLUNTEER ARMY OF THE UNITED STATES.

To be assistant surgeon with the rank of first lieutenant.

Joseph H. Carroll, of Ohio, acting assistant surgeon, United States Army, June 4, 1900.

FORTY-SEVENTH INFANTRY.

First Sergt. Wiley J. Brickey, Company H, Forty-seventh Infantry, United States Volunteers, to be second lieutenant, June 4, 1900.

FORTY-EIGHTH INFANTRY.

Sergt. Maj. Frederick McC. Smith, Thirty-eighth Infantry, United States Volunteers, to be first lieutenant, May 24, 1900.

THIRTY-FOURTH INFANTRY.

Corpl. John H. Ruff, Company H, Thirty-fourth Infantry, United States Volunteers, to be second lieutenant, June 2, 1900.

Second Lieut. Robert C. Corliss, Thirty-fourth Infantry, United States Volunteers, to be first lieutenant, April 30, 1900.

TWENTY-SEVENTH INFANTRY.

Second Lieut. George A. Vernon, Twenty-seventh Infantry, United States Volunteers, to be first lieutenant, March 31, 1900.

FORTY-FIRST INFANTRY.

First Lieut. John H. Boston, jr., Forty-first Infantry, United States Volunteers, to be captain, May 31, 1900.

Second Lieut. Benjamin L. Towson, Forty-first Infantry, to be first lieutenant, May 31, 1900.

FOR APPOINTMENT UNITED STATES ARMY—GENERAL OFFICER.

Brig. Gen. Joseph Wheeler, United States Volunteers, to be brigadier-general, United States Army, vice Otis, nominated for appointment as major-general, United States Army, to rank from the date of acceptance by that officer of his commission as major-general.

To be major-general.

Brig. Gen. Elwell S. Otis, United States Army (major-general, United States Volunteers), June 16, 1900, vice Merritt, to be retired from active service on that date under the requirements of the act of Congress approved June 30, 1882.

CONSUL.

Thomas Herbert Norton, of Ohio, to be consul of the United States at Harput, Turkey.

MARSHALS.

William R. Compton, of New York, to be marshal of the United States for the western district of New York.

Theodore L. Poole, of New York, to be marshal of the United States for the northern district of New York.

Frank M. Chandler, of Ohio, to be marshal of the United States for the northern district of Ohio.

John E. Kendrick, of Rhode Island, to be marshal of the United States for the district of Rhode Island.

INDIAN COMMISSIONER.

Clifton R. Breckinridge, of Arkansas, to be a commissioner to negotiate with the Indians of the Cherokee, Choctaw, Chickasaw, Muscogee (or Creek), and Seminole nations.

CHIEF JUSTICE, COURT OF PRIVATE LAND CLAIMS.

Joseph R. Reed, of Iowa, to be chief justice of the Court of Private Land Claims for the term beginning at the expiration of his present term, on the 30th day of June, 1900, and expiring on the 30th day of June, 1902.

ASSOCIATE JUSTICES, COURT OF PRIVATE LAND CLAIMS.

Thomas C. Fuller, of North Carolina, to be associate justice of the Court of Private Land Claims for the term beginning at the expiration of his present term, on the 30th day of June, 1900, and expiring on the 30th day of June, 1902.

William W. Murray, of Tennessee, to be associate justice of the Court of Private Land Claims for the term beginning at the expiration of his present term, on the 30th day of June, 1900, and expiring on the 30th day of June, 1902.

Wilbur F. Stone, of Colorado, to be associate justice of the Court of Private Land Claims for the term beginning at the expiration of his present term, on the 30th day of June, 1900, and expiring on the 30th day of June, 1902.

Henry C. Sluss, of Kansas, to be associate justice of the Court of Private Land Claims for the term beginning at the expiration of his present term, on the 30th day of June, 1900, and expiring on the 30th day of June, 1902.

SURVEYOR OF CUSTOMS.

Frederick A. Kuntzsch, of New York, to be surveyor of customs for the port of Syracuse, in the State of New York.

UNITED STATES ATTORNEYS.

Charles H. Brown, of New York, to be attorney of the United States for the western district of New York.

George B. Curtiss, of New York, to be attorney of the United States for the northern district of New York.

COMMISSIONER OF THE INTERIOR OF PORTO RICO.

William H. Elliott, of Indiana, to be commissioner of the interior of Porto Rico.

ATTORNEY-GENERAL OF PORTO RICO.

John A. Russell, of Illinois, to be attorney-general of Porto Rico.

MARSHAL.

Samuel C. Bothwell, of Porto Rico, to be marshal of the supreme court of Porto Rico.

EXECUTIVE COUNCIL OF PORTO RICO.

José C. Barbosa, of San Juan; Rosendo Matienzo Cintron, of Ponce; José de Diego, of Mayaguez; Manuel Camuñas, of Fajardo, and Andreas Crosas, of San Juan, to be members of the executive council of Porto Rico, original appointments under the provisions of the act entitled "An act temporarily to provide revenues and a civil government for Porto Rico, and for other purposes," approved April 12, 1900.

COMMISSIONER OF EDUCATION OF PORTO RICO.

Martin Grove Brumbaugh, of Pennsylvania, to be commissioner of education of Porto Rico.

CHIEF JUSTICE AND ASSOCIATE JUSTICES OF PORTO RICO.

José Severo Quinones, of Porto Rico, to be chief justice of the supreme court of Porto Rico. Louis Sulzbacher, of Missouri; José C. Hernandez, of Porto Rico; José M. Figueras, of Porto Rico, and Rafael Nieto y Abellé, of Porto Rico, to be associate justices of said court, original appointments under the provisions of the act of Congress entitled "An act temporarily to provide revenues and a civil government for Porto Rico, and for other purposes," approved April 12, 1900.

DISTRICT JUDGE OF PORTO RICO.

William H. Holt, of Kentucky, to be United States district judge for the district of Porto Rico, an original appointment under the provisions of the act of Congress entitled "An act temporarily to provide revenues and a civil government for Porto Rico, and for other purposes," approved April 12, 1900.

DISTRICT ATTORNEY OF PORTO RICO.

Noah B. K. Pettingill, of Porto Rico, to be United States district attorney for the district of Porto Rico, an original appoint-

ment under the provisions of the act of Congress entitled "An act temporarily to provide revenues and a civil government for Porto Rico, and for other purposes," approved April 12, 1900.

MARSHAL OF PORTO RICO.

Edward S. Wilson, of Ohio, to be United States district marshal for the district of Porto Rico, an original appointment under the provisions of the act of Congress entitled "An act temporarily to provide revenues and a civil government for Porto Rico, and for other purposes," approved April 12, 1900.

COMMISSION TO COMPILE THE LAWS OF PORTO RICO.

Joseph F. Daly, of New York; Leo S. Rowe, of Pennsylvania, and Juan Hernandez Lopez, of San Juan, Porto Rico, as members of the commission to compile and revise the laws of Porto Rico, etc., as provided by the act of Congress entitled "An act temporarily to provide revenues and a civil government for Porto Rico, and for other purposes," approved April 12, 1900.

DISTRICT JUDGE OF HAWAII.

Morris M. Estee, of California, to be United States district judge of the Territory of Hawaii, an original appointment under the provisions of the act of Congress entitled "An act to provide a government for the Territory of Hawaii," approved April 30, 1900.

DISTRICT ATTORNEY OF HAWAII.

John C. Baird, of Wyoming, to be United States district attorney of the Territory of Hawaii, an original appointment under the provisions of the act of Congress entitled "An act to provide a government for the Territory of Hawaii," approved April 30, 1900.

COLLECTOR OF INTERNAL REVENUE OF HAWAII.

William Haywood, of Honolulu, to be collector of internal revenue for the district of Hawaii.

CHIEF JUSTICE AND ASSOCIATE JUSTICES OF HAWAII.

W. F. Frear, of Hawaii, to be chief justice of the supreme court of the Territory of Hawaii.

Clinton A. Galbraith and Antonio Perry, also of the Territory of Hawaii, to be associate justices of the supreme court of the Territory of Hawaii.

CIRCUIT JUDGES OF HAWAII.

Abraham S. Humphreys, of Hawaii, to be first judge of the circuit court of the first circuit; R. B. Silliman, of Hawaii, to be second judge of the circuit court of the first circuit; John W. Kalua, of Hawaii, to be judge of the circuit court of the second circuit; W. S. Eddings, of Hawaii, to be judge of the circuit court of the third circuit; Gilbert F. Little, of Hawaii, to be judge of the circuit court of the fourth circuit, and J. Hardy, of Hawaii, to be judge of the circuit court of the fifth circuit.

POSTMASTERS.

Frank H. Owen, to be postmaster at Winters, in the county of Yolo and the State of California.

Hiram H. Richmond, to be postmaster at Auburn, in the county of Placer and State of California.

Clinton B. Ault, to be postmaster at Goldfield, in the county of Teller and State of Colorado.

George D. C. Pruner, to be postmaster at Blaine, in the county of Whatcom and State of Washington.

Guy U. Hardy, to be postmaster at Canon City, in the county of Fremont and the State of Colorado.

William E. Gates, to be postmaster at Glastonbury, in the county of Hartford and the State of Connecticut.

Franklin McC. Brown, to be postmaster at Brunswick, in the county of Glynn and State of Georgia.

Cornell H. Brown, to be postmaster at Batavia, in the county of Kane and State of Illinois.

Scudder H. Trego, to be postmaster at Halstead, in the county of Harvey and State of Kansas.

Lawrence W. Dower, to be postmaster at Easthampton, in the county of Hampshire and State of Massachusetts.

Albert D. Dresser, to be postmaster at Needham, in the county of Norfolk and State of Massachusetts.

John J. Whetton, to be postmaster at Highlandville, in the county of Norfolk and State of Massachusetts.

William T. Hosher, to be postmaster at Romeo, in the county of Macomb and State of Michigan.

William C. Mertz, to be postmaster at St. Charles, in the county of Saginaw and State of Michigan.

Edward L. Bjorkquist, to be postmaster at Moorhead, in the county of Clay and State of Minnesota.

Andrew R. McGill, to be postmaster at St. Paul, in the county of Ramsey and State of Minnesota.

John F. Nesbett, to be postmaster at Corona, Queens County, N. Y.

Clark Grier, to be postmaster at Dublin, Laurens County, Ga.; Charles S. Shindel, to be postmaster at Tamaqua, Schuylkill County, Pa.

Walter K. Landis, to be postmaster at San Juan, Porto Rico.

Benjamin D. Underwood, to be postmaster at Fergus Falls, in the county of Ottertail and State of Minnesota.

Samuel J. Anderson, to be postmaster at Winnemucca, in the county of Humboldt and State of Nevada.

George D. Small, to be postmaster at Hanover, in the county of Grafton and State of New Hampshire.

John Hubbard, to be postmaster at Asbury Park, in the county of Monmouth and State of New Jersey.

Robert A. Cruikshank, to be postmaster at Salem, in the county of Washington and State of New York.

Mattie E. Hawkins, to be postmaster at Louisburg, in the county of Franklin and State of North Carolina.

Walter Elliott, to be postmaster at Ada, in the county of Hardin and State of Ohio.

Louis A. Koons, to be postmaster at Massillon, in the county of Stark and State of Ohio.

E. Calvin Miller, to be postmaster at New Carlisle, in the county of Clark and State of Ohio.

William A. Feist, to be postmaster at White Haven, in the county of Luzerne and State of Pennsylvania.

C. E. Geyer, to be postmaster at Catawissa, in the county of Columbia and State of Pennsylvania.

W. S. Gleason, to be postmaster at Johnsonburg, in the county of Elk and State of Pennsylvania.

D. A. Wright, to be postmaster at Union City, in the county of Erie and State of Pennsylvania.

Thomas G. Peachy, to be postmaster at Williamsburg, in the county of James City and State of Virginia.

Samuel Masters, to be postmaster at Johnstown, in the county of Cambria and State of Pennsylvania.

Freeman D. Dearth, to be postmaster at Dexter, in the county of Penobscot and State of Maine.

Will E. Olmsted, to be postmaster at Coudersport, in the county of Potter and State of Pennsylvania.

Minard E. Northam, to be postmaster at Galeton, in the county of Potter and State of Pennsylvania.

Peter M. Newman, to be postmaster at Hughesville, in the county of Lycoming and State of Pennsylvania.

George E. Sisley, to be postmaster at Genoa, in the county of DeKalb and State of Illinois.

John Holliday, to be postmaster at Kirkwood, in the county of Warren and State of Illinois.

W. Scott Stoner, to be postmaster at Gallitzin, in the county of Cambria and State of Pennsylvania.

Henry W. Nichols, to be postmaster at Vandergrift, in the county of Westmoreland and State of Pennsylvania.

William M. Sullivan, to be postmaster at Middletown, in the county of Butler and State of Ohio.

William P. McMasters, to be postmaster at Munhall, in the county of Allegheny and State of Pennsylvania.

William G. Bassler, to be postmaster at Zelienople, in the county of Butler and State of Pennsylvania.

Susanne E. Nicholson, to be postmaster at Monongahela, in the county of Washington and State of Pennsylvania.

REJECTIONS.

Executive nominations rejected by the Senate June 5, 1900.

GENERAL APPRAISER OF MERCHANDISE.

William D. Bynum, of Indiana, to be general appraiser of merchandise.

INDIAN AGENT.

Fred B. Spriggs, of Utica, N. Y., to be agent for the Indians of the Nevada Agency, in Nevada.

HOUSE OF REPRESENTATIVES.

TUESDAY, June 5, 1900.

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. HENRY N. COUDEN, D. D.

The Journal of yesterday's proceedings was read and approved.

EXPLANATION OF A VOTE.

Mr. KING. I desire to make a correction in the RECORD. I see by examining the RECORD of yesterday's proceedings that the gentleman from Wisconsin, Mr. OTJEN, with whom I thought I was paired upon the amendment of the Senate No. 183 to the sundry civil bill, providing \$5,000,000 for the St. Louis Exposition, voted on that question. Supposing that I was paired with him, I refrained from voting, though present. If I had known that he voted, I should have voted "no."

The SPEAKER. That statement will appear in the RECORD.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PLATT, one of its clerks, announced that the Senate had passed bills and joint resolution

of the following titles; in which the concurrence of the House was requested.

S. R. 129. Joint resolution authorizing the President to appoint George W. Kirkman to be a captain in the Twenty-third Regiment of the United States Infantry, United States Volunteers;

S. 880. An act for the relief of L. O. Maddux, doing business as Maddux, Hobart & Co.; and

S. 4075. An act to amend an act to prohibit the passage of special laws in the Territories, to limit the Territorial indebtedness, etc.

The message also announced that the Senate had passed the following resolutions:

Resolved, That the Senate deeply mourns the death of the Hon. SYDNEY PAYOR EPES, late Representative of the Fourth Congressional district of Virginia.

Resolved, That the Secretary of the Senate communicate these resolutions to the House of Representatives.

Resolved, That in testimony of our respect for the memory of the deceased the Senate do now adjourn.

The message also announced that the Senate had passed with amendments bill of the following title; in which the concurrence of the House was requested:

H. R. 10152. An act to provide for the sale of isolated and disconnected tracts or parcels of the Osage trust and diminished reserve lands in the State of Kansas.

The message also announced that the Senate had passed, without amendment, bills of the following titles:

H. R. 9389. An act to authorize the Seneca Telephone Company to construct and maintain lines in the Indian Territory;

H. R. 10210. An act granting an increase of pension to Ellen Miles Brown;

H. R. 3044. An act for the relief of John M. Martin, of Ocala, Fla.;

H. R. 2016. An act to grant the right of way over Government lands for a pipe line for the conveyance of water to Flagstaff, Ariz.;

H. R. 9679. An act to authorize the construction of a railroad bridge across the Mississippi River at St. Paul, Minn.;

H. R. 2357. An act for the relief of A. T. Hensley, survivor of Fulton & Hensley, doing business under the name of Lavaca Wharf Company;

H. R. 11214. An act to amend an act entitled "An act for the erection of a public building at Anniston, Ala.;"

H. R. 9510. An act to amend section 1 of the act of Congress approved February 12, 1887, entitled "An act to amend section 1661 of the Revised Statutes, making an annual appropriation to provide arms and equipments for the militia;"

H. R. 2322. An act for the relief of Joshua Bishop;

H. R. 11650. An act relating to certain railway corporations owning or operating street railways in the District of Columbia;

H. R. 504. An act granting an increase of pension to William T. Lowry;

H. R. 2362. An act granting a pension to Bethel H. Brasted; and

H. R. 6063. An act to amend chapter 2 of the laws passed by the first session of the Fifty-fifth Congress of the United States, being an act entitled "An act making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1898, and for other purposes," approved June 4, 1897.

The message also announced that the Senate had still further insisted upon its amendments to the bill (H. R. 11212) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1901, and for other purposes, disagreed to by the House of Representatives; and that it also disagreed to the amendments made by the House to Senate amendments numbered 140 and 141, and had agreed to the further conference asked by the House, and had appointed Mr. ALLISON, Mr. HALE, and Mr. COCKRELL as the conferees on the part of the Senate.

The message also announced that the Senate had insisted upon its amendments to the bill (H. R. 11646) making provision for emergencies in river and harbor works, for certain surveys, and for diversion of certain appropriations or modifications of provisions heretofore made, disagreed to by the House, had agreed to the conference asked by the House, and had appointed Mr. McMILLAN, Mr. NELSON, and Mr. VEST as the conferees on the part of the Senate.

The message also announced that the Senate had passed the following resolution; in which the concurrence of the House was requested:

Senate concurrent resolution 70:

Resolved by the Senate (the House of Representatives concurring), That the President be requested to return to the Senate the bill of the Senate (S. 2483) granting an increase of pension to Lewis C. Beard.

SENATE BILLS AND JOINT RESOLUTION REFERRED.

Under clause 2 of Rule XXIV, Senate bill and joint resolution of the following titles were taken from the Speaker's table and referred to their appropriate committees, as indicated below:

S. R. 129. Joint resolution authorizing the President to appoint

George W. Kirkman to be a captain in the Twenty-third Regiment of the United States Infantry, United States Volunteers to the Committee on Military Affairs.

S. 880. An act for the relief of L. O. Maddux, doing business as Maddux, Hobart & Co.—to the Committee on Claims.

CODE FOR ALASKA.

Mr. WARNER. I submit the report of the committee of conference on the disagreeing votes of the two Houses on the bill (S. 3419) making further provision for a civil government for Alaska, and for other purposes. I ask that the reading of the report be dispensed with, and that the statement of the House conferees be read instead.

The SPEAKER. The gentleman from Illinois asks unanimous consent that the reading of the report be dispensed with and that the statement of the House conferees be read. If not objected to, that course will be pursued. The Chair hears no objection.

The conference report is as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 3419) making further provision for a civil government for Alaska, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendments of the House numbered 1, 2, 3, 4, 5, 9, 10, 11, 12, 14, 15, 16, 17, 20, 24, 25, 27, 29, 30, 31, 32, 33, 34, 35, 36, 37, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 54, 57, 58, 62, 63, 64, 65, 66, 67, 69, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 85, 86, 87, 90, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 107, 108, 110, 113, 114, 115, 116, 117, 118, 121, 124, 125, 126, 127, 128, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 163, 164, 165, 168, 169, 171, 172, 173, 177, 181, 182, 183, 185, 186, 187, 188, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 582, 583, 584, 585, 587, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 646, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 744, 746, 747, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1033, 1034, 1035, 1036, 1037, 1038, 1039, 1040, 1041, 1042, 1043, 1044, 1045, 1046, 1047, 1048, 1050, 1051, 1052, 1053, 1054, 1055, 1056, 1057, 1058, 1059, 1060, 1061, 1064, 1065, 1066, 1067, 1068, 1069, 1070, 1071, 1072, 1073, 1074, 1075, 1076, 1077, 1078, 1079, 1080, 1081, 1082, 1083, 1084, 1085, 1086, 1087, 1088, 1089, 1090, 1091, 1092, 1093, 1094, 1095, 1096, 1097, 1098, 1099, 1100, 1101, 1102, 1103, 1104, 1105, 1106, 1112, 1116, 1118, 1121, 1122, 1124, 1125, 1126, 1129, 1129, 1130, 1131, 1132, 1133, 1134, 1135, 1136, 1137, 1138, 1139, 1140, 1141, 1142, 1143, 1144, 1145, 1146, 1147, 1148, 1149, 1150, 1151, 1152, 1153, 1154, 1155, 1156, 1157, 1158, 1159, 1160, 1161, 1162, 1163, 1164, 1165, 1166, 1167, 1168, 1169, 1170, 1171, 1172, 1173, 1174, 1175, 1176, 1177, 1178, 1179, 1180, 1181, 1182, 1183, 1184, 1185, 1186, 1187, 1188, 1189, 1190, 1191, 1192, 1193, 1194, 1195, 1196, 1197, 1198, 1199, 1200, 1201, 1202, 1203, 1204, 1205, 1206, 1207, 1208, 1209, 1210, 1211, 1212, 1213, 1214, 1215, 1216, 1217, 1218, 1219, 1220, 1221, 1222, 1223, 1224, 1225, 1226, 1227, 1228, 1229, 1230, 1231, 1232, 1233, 1234, 1235, 1236, 1237, 1238, 1239, 1240, 1241, 1242, 1243, 1244, 1245, 1246, 1247, 1248, 1249, 1250, 1251, 1252, 1253; and agree to the same.

That the House recede from its amendments numbered 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 54, 57, 58, 62, 63, 64, 65, 66, 67, 69, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 107, 108, 110, 113, 114, 115, 116, 117, 118, 121, 124, 125, 126, 127, 128, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 163, 164, 165, 168, 169, 171, 172, 173, 177, 181, 182, 183, 185, 186, 187, 188, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 646, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 744, 746, 747, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 92

9 strike out the word "has" and insert in lieu thereof the word "have;" and the House agree to the same.

That the Senate recede from its disagreement to the House amendment numbered 1205, and agree to the same with an amendment as follows: In line 10 strike out, after the word "this," the word "chapter" and insert in lieu thereof the word "title;" and the House agree to the same.

That the Senate recede from its disagreement to the House amendment numbered 1229, and agree to the same with an amendment as follows: Strike out after the word "this" in line 8, the word "chapter," and insert in lieu thereof the word "title;" and the House agree to the same.

That the Senate recede from its disagreement to the House amendment numbered 1247, and agree to the same with an amendment as follows: In line 10, after the word "the," strike out the word "said," and insert in lieu thereof the word "such."

That the Senate recede from its disagreement to House amendment numbered 1256, and agree to the same with the following amendment in lieu of the matter stricken out: Before the word "all," in line 1 of section 364, insert: "That in the interpretation of this act words of the singular number shall be deemed to include their plurals, and that words of the masculine gender shall be deemed to include the feminine, as the case may be. Whenever a section of this act refers to another section, a section of the same title is intended, unless the contrary clearly appears. No person shall be deprived of any existing legal right or remedy by reason of the passage of this act, and all civil actions or proceedings commenced in the courts of the district before or within sixty days after the approval of this act may be prosecuted to final judgment under the law now in force in the district, or under this act; and the House agree to the same.

That the House recede from its amendment numbered 52 with an amendment, as follows: After the word "exploration," in line 10, insert the words "and mining;" and the Senate agree to the same.

That the House recede from its amendment numbered 56, and agree to the following amendment in lieu thereof: "but citizens of the United States or persons who have legally declared their intention to become such shall have the right to dredge and mine for gold or other precious metals in said waters, below low tide, subject to such general rules and regulations as the Secretary of War may prescribe for the preservation of order and the protection of the interests of commerce; such rules and regulations shall not, however, deprive miners on the beach of the right hereby given to dump tailings into or pump from the sea opposite their claims, except where such dumping would actually obstruct navigation;" and the Senate agree to the same.

That the House recede from its amendment numbered 59, with an amendment as follows: In line 43, page 29, after the word "Alaska," strike out the word "and" and insert "or;" and the Senate agree to the same.

That the House recede from its amendment numbered 61, with an amendment as follows: After the word "Alaska," in line 85, strike out the word "and" and insert in lieu thereof the word "or;" and the Senate agree to the same.

That the House recede from its amendment numbered 122, with the following amendments: In line 5 strike out the words "on a cause of action arising out of contract;" in line 8 strike out the words "or character" and insert, after the word "for," the word "wilfully;" in lines 10 and 11 strike out the words "or on a promise to marry;" also in line 11, after the word "money," the words "received" and "for;" after the word "shall," in line 5, section 9, insert the words "in the discretion of the court, or the judge thereof;" in line 12 strike out the words "one or more" and insert in lieu thereof the word "sufficient;" in line 13 strike out the word "one" and insert in lieu thereof the word "three;" in line 22 strike out the words "nature and sources of the information" and insert in lieu thereof the word "facts;" in line 31, after the word "the," strike out the word "clerk" and insert in lieu thereof the words "by the court, judge, or commissioner, in his or its discretion;" and in line 25 strike out the word "clerk" and insert in lieu thereof the word "court;" in line 36 strike out the word "whom" and insert in lieu thereof the word "which;" in line 3, section 101, strike out the words "two or more;" in line 16, section 102, strike out the words "judges of the;" in line 16, section 103, strike out the words "the clerk of;" in section 120, page 85, line 4, strike out all after the word "arrest;" after the word "writ," section 121, line 6, insert the following: "or that there is other good cause which would entitle him to be discharged on habeas corpus;" at the end of line 7, same section, add the following: "or in case he has given bail the court may discharge the same or reduce the amount thereof on good cause shown;" and the Senate agree to the same.

That the House recede from its amendment numbered 719 with an amendment as follows: In line 14, after the word "witness," insert the word "willfully;" in line 15 strike out the words "is to" and insert in lieu thereof the word "may;" in line 17, after the word "and," insert the word "of;" and the Senate agree to the same.

That the House recede from its amendment numbered 813 with an amendment as follows: In line 4 strike out the words "or decree;" and the Senate agree to the same.

That the House recede from its amendment numbered 1170 with an amendment as follows: After the word "timber," in line 4, strike out the words "upon which there is" and insert in lieu thereof the words "knowing the same to be subject to;" and the Senate agree to the same.

V. WARNER,
W. S. KNOX,
HENRY R. GIBSON,
Managers on the part of the House.
GEO. L. SHOUP,
THOS. H. CARTER,
Managers on the part of the Senate.

The statement of the House conferees was read, as follows:

STATEMENT TO ACCOMPANY CONFERENCE REPORT.

The managers on the part of the House of the conference on the disagreeing votes of the two Houses on the amendments of the House to Senate No. 3419, "making further provision for a civil government for Alaska, and for other purposes," submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report, namely:

The House made 1200 amendments to the Senate act; and the Senate agreed to recede from its disagreement to 1118 amendments of the House.

The House agrees to recede from 97 of its amendments to the act.

The Senate agrees to recede from its disagreement to 38 amendments of the House, and agrees to the same with amendments.

The House agrees to recede from 7 of its amendments, and agrees to amendments of the same.

The references to pages and lines in the conference report, accompanying this statement, are to the pages and lines as they appear in the printed copy of S. 3419 ordered by the Senate May 3, 1900.

The House agrees to recede from amendments numbered 6, 83, 91, 111, 112, 119, 123, 157, 159, 160, 161, 162, 167, 170, 179, 635, 743, 745, 748, 764, 818, 822, 832, 833, 834, 1006, 1018, 1019, 1030, 1035, 1056, 1082, 1084, 1087, 1089, 1000, 1107, 1108, 1109, 1110, 1111, 1113, 1114, 1115, 1117, 1119, 1120, 1223, 1227, 1210, 1250, and 1253, being verbal changes.

The conferees on the part of the House also agree to recede from the following amendments, the effect of which is as follows:

Amendment Nos. 7 and 8: Changes the residence of the judge of the court from Nome City to St. Michaels.

Amendment No. 13: Allows the clerk to apply money received from licenses to the incidental expenses of the court.

Amendment No. 19: To conform to amendment No. 18, to which the Senate conferees agree with an amendment.

Amendment No. 22: To conform to amendment No. 21, to which the Senate conferees agree with an amendment.

Amendment No. 23: Permits money received from licensees to be paid out on the order of the court.

Amendment No. 28: Provides that the Secretary of the Treasury approves the bonds of clerks of the courts.

Amendment No. 51: To conform to amendment No. 50, to which the Senate conferees agree with an amendment.

Amendment No. 53 is stricken out, as it does not change existing law.

Amendment No. 60: Reduces the tax on stamps from \$5 to \$3 each.

Amendment No. 70: Relates to citizenship and a Delegate to the House of Representatives. The peculiar character and unsettled condition of the population of the district, the great expense of holding the election, and the area to be covered make it unadvisable at this time to adopt the House amendment.

Amendment No. 109: Provides for alias summons in civil causes where the first summons has not been served.

Amendment No. 143: Is superfluous.

Amendment No. 158: Provides for judgment by default, on failure of defendant to file with the clerk an answer within a specified time.

Amendment No. 166: Provides for a confession before the clerk in vacation.

Amendment No. 174: Provides that the clerk may enter judgment by default for want of answer.

Amendments Nos. 175 and 176: Made necessary to conform to amendment No. 122, from which the House conferees agree to recede with certain amendments.

Amendment No. 178: Renders it unnecessary for person claiming benefit of homestead to cause to be entered of record on the margin of his recorded title the word "homestead."

Amendment No. 180: Exempts from execution the earnings of a judgment debtor, regardless of whether he is the head of a family, for his personal services rendered within sixty days.

Amendment No. 190: Requires certain notices to be posted on the door of the nearest post-office.

Amendments Nos. 205 and 206: Provide when a judgment against an executor or administrator, for want of answer, is evidence of assets in his possession.

Amendment No. 508: Requires the plaintiff in a divorce proceeding to be an inhabitant of the district three years prior to the commencement of the action.

Amendment No. 566: Provides that the court shall direct the jury to presume the facts to be as alleged under certain circumstances.

Amendment No. 628: Provides that no person other than the clerk of the court shall make a certified copy of its record.

Amendment No. 632: Relates to practice and is unimportant.

Amendments Nos. 675, 676, and 677: Defines the process by which the attendance of a witness is required.

Amendment No. 678: Provides by whom a subpoena may be served.

Amendment No. 681: Provides for the service of process when witness is concealed.

Amendment No. 684: Provides for a penalty against a witness who neglects to obey the command of a subpoena to appear and testify.

Amendment No. 690: Provides for privileged communications.

Amendment No. 697: Provides that collusive recovery of dower shall not preclude infant heirs.

Amendment No. 1014: Provides that will made by unmarried person shall be deemed revoked by subsequent marriage.

Amendment No. 1062: Provides for damages on protested inland bills of exchange.

Amendment No. 1063: Provides for the use of certain moneys for school purposes.

Amendments Nos. 1186, 1187, 1188, 1189, 1190, and 1191: Requires an affidavit to be filed and recorded with a chattel mortgage in certain cases.

The effect of the Senate amendment to House amendment No. 18 is to make the salary of each marshal \$4,000 per year.

The Senate amendment to House amendment No. 21 makes the salary of each district attorney \$3,000 per year.

The effect of the Senate amendment to House amendment No. 26 is to invest the surveyor-general with all the powers and duties of the governor during any absence of the governor from the district.

The Senate amendment to House amendment No. 28 makes all records heretofore made in good faith in any regularly organized mining district public records.

The effect of the Senate amendment to House amendment No. 49 is to continue in office the present officers in the district until the expiration of the terms for which they were respectively appointed unless sooner removed.

The effect of the Senate amendment to House amendment No. 50 is to make all land and shoal water between low and mean high tide on the shores, bays, and inlets of Bering Sea, within the jurisdiction of the United States, subject to exploration and mining for gold and other precious metals, subject to the rules and regulations of the miners in organized mining districts.

The Senate amendment to House amendment No. 55 provides that the Secretary of War shall not grant any exclusive permit to mine under any of said waters below low tide, and that if any such permits have been granted they are, by this act, revoked and declared null and void.

The effect of the Senate amendment to House amendment No. 68 is to give to the district historical fund the fees received under chapter 73 of Title II.

The Senate amendments to House amendments Nos. 88 and 89 are simply verbal and of no importance.

The Senate amendment to House amendment No. 100 provides that, in addition to the court, the judge or clerk thereof may designate in what newspaper the publication shall be made.

The effect of the Senate amendment to House amendment No. 129 is to make six persons a legal jury for trials for misdemeanors.

The Senate amendment to House amendment No. 140 simply makes certain in what title the section referred to appears.

The Senate amendment to House amendment No. 141 provides that the issues mentioned in chapter 20, Title II, may be referred to a referee or referees.

The Senate amendment to House amendment No. 142 simply changes the verbiage and is of no importance.

The Senate amendment to House amendment No. 156 provides that when any fact upon which a motion for a new trial is based appears of record in the cause the fact need not be set forth by affidavit.

The Senate amendment to House amendment No. 184 merely refers to the proper title.

The Senate amendment to House amendment No. 232 provides that the summons served on defendants to whom a copy of the complaint has not been delivered shall contain a brief statement of the cause of action and the relief demanded.

The Senate amendments to House amendments Nos. 581, 583, 586, 590, 647, 699, 713, 821, 875, and 895 are merely verbal and of no importance.

The Senate amendments to House amendments Nos. 893 and 894 provide that the title to real estate, except as against the United States, may be acquired by seven years' adverse possession under claim and color of title.

The Senate amendment to House amendment No. 1022 provides that an attesting witness of a will who is a devisee may be admitted as a witness to the execution of the will, when he has refused the bequest to him and, without valuable consideration, renounced all benefits under the will.

The Senate amendment to House amendment No. 1049 makes the rights of married women subject to the statute of limitations.

The Senate amendment to House amendment No. 1128 is merely a verbal correction.

The Senate amendments to House amendments Nos. 1205 and 1229 are corrections of references.

The Senate amendment to House amendment No. 1247 is an unimportant verbal correction.

The Senate amendment to House amendment No. 1256 provides: "That in the interpretation of this act words of the singular number shall be deemed to include their plurals, and that words of the masculine gender shall be deemed to include the feminine, as the case may be. Whenever a section of this act refers to another section, a section of the same title is intended, unless the contrary clearly appears. No person shall be deprived of any existing legal right or remedy by reason of the passage of this act, and all civil actions or proceedings commenced in the courts of the district before or within sixty days after the approval of this act may be prosecuted to final judgment under the law in force in the district, or under this act."

House amendment No. 52 as amended provides for mining in addition to exploration below low tide.

The effect of the amendment agreed upon by the conferees in lieu of House amendment No. 52 is to allow all citizens of the United States and persons who have legally declared their intention to become such, to dredge and mine for precious metals below low tide, subject to such general rules and regulations as the Secretary of War may prescribe.

The effect of the amendment agreed upon in lieu of House amendment No. 59 is to require all water-transportation lines doing business in the district of Alaska, whose vessels are registered in the district of Alaska, or on which license or tax is not paid elsewhere, to pay a license of \$1 per ton per annum on net tonnage, custom-house measurement, on each vessel.

The effect of the amendment agreed upon in lieu of House amendment No. 61 is to fix a license tax of \$1 per annum per ton on net tonnage, custom-house measurement, on each ocean or coastwise vessel doing local business for hire in Alaskan waters, registered in Alaska or not paying license or tax elsewhere.

The effect of the amendment agreed upon in lieu of House amendment No. 122 is to allow, in the discretion of the court, arrests in civil actions when the defendant is about to remove from the district with intent to defraud his creditors, or when the action is for an injury to the person, or for wilfully injuring or wrongfully taking, detaining, or converting property.

Also, in an action for a fine or penalty, or for money or property embezzled or fraudulently misappropriated or converted to his own use by a public officer, or an attorney, or an officer or agent of a corporation in the course of his employment as such, or by any factor, agent, broker, or other person acting in a fiduciary capacity, or for any misconduct or neglect in office or in a professional capacity, and in other cases specified in the act.

The effect of the amendment in lieu of House amendment No. 719 is to allow chapter 65, Title II, on Evidence to remain substantially as it was in the act as it originally came from the Senate.

The effect of the amendment agreed upon in lieu of House amendment No. 813 is to impose a fee of \$6 for each trial by the court, and a fee of \$8 for each judgment without a trial.

The effect of the amendment in lieu of House amendment No. 1170 is to make any person who prevents the identification of timber subject to a lien, liable to the lien holder for the amount of his lien.

V. WARNER,

W. S. KNOX,

HENRY R. GIBSON.

Managers on the part of the House.

The SPEAKER. The question is on agreeing to the report.

The question being taken, it was agreed to.

Mr. WARNER. I move to reconsider the vote just taken and to lay that motion on the table.

Mr. LACEY. I suppose that on an important matter of this kind the House ought to know what it is doing.

The SPEAKER. The Chair does not understand the gentleman from Iowa, and appeals to the House to be quiet.

Mr. LACEY. I say the House did not understand that it was voting on this question.

The SPEAKER. The Chair put the question squarely; the report was agreed to, and the matter ended. The gentleman from Illinois [Mr. WARNER] now moves to reconsider the vote on adopting the report and to lay that motion on the table. Without objection, that will be done. The Chair hears no objection.

Mr. LACEY. There is objection. I object.

The SPEAKER. The Chair recognizes the gentleman from New York.

Mr. LACEY. I ask unanimous consent that the vote on agreeing to the report be reconsidered, so that the House may understand it.

Mr. OTJEN. I object.

Mr. PAYNE.* Mr. Speaker, I submit that, notwithstanding the objection of the gentleman from Iowa, we ought to have a vote on the motion to lay on the table the motion to reconsider.

The SPEAKER. The question is on the motion to lay on the table the motion to reconsider the vote by which the report was adopted.

Mr. LACEY. I ask unanimous consent that the order confirming the conference report be vacated.

The SPEAKER. The Chair will state to the gentleman from Iowa that there seems to be no more occasion for such action in this case than in any other.

Mr. LACEY. There is, or I would not ask it.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

Mr. OTJEN and others objected.

Mr. UNDERWOOD. I rise to a parliamentary inquiry. Is it understood that in this conference report the provision for a Delegate for Alaska has been stricken out?

Several MEMBERS. Yes.

The SPEAKER. The Chair is not advised on that point. This is a final agreement of the conferees.

Mr. LACEY. Why, Mr. Speaker, the chairman of the committee [Mr. WARNER] did not know that the report had been acted on.

The SPEAKER. What was the parliamentary inquiry of the gentleman from Alabama?

Mr. UNDERWOOD. I have obtained the information on the floor.

The SPEAKER. The Chair could not answer the question.

Mr. GAINES. Mr. Speaker, I was on my feet, trying to object to the motion.

The SPEAKER. It was not a question of objection; it was a motion put to the House, and carried unanimously.

Mr. GAINES. I do not think members of the House understood what is done by this conference report. It strikes out the Alaskan Delegates and makes a great many fundamental changes.

The SPEAKER. The Chair will state to the gentleman from Tennessee that it did not require unanimous consent. It was a regular motion to adopt the report. The Chair put it with the same force that he always puts motions, and it was carried unanimously.

Mr. LOUD. I suggest to the gentleman from Iowa [Mr. LACEY] that he ask who made the motion.

Mr. LACEY. Who made the motion, Mr. Speaker?

Mr. GAINES. I was on my feet to object.

Mr. LACEY. No motion was made to adopt the conference report. I was conferring with the chairman of the committee in regard to one of the amendments, to see about its form. The Chair, with no motion made by the gentleman at all, put the motion, assuming it to have been made, and declared it carried.

Mr. SHAFROTH. And the chairman of the committee [Mr. WARNER] did not know it was carried.

Mr. LACEY. And the chairman of the committee, who was assumed to have made the motion, did not know he had made the motion and did not know it was carried.

The SPEAKER. It required no motion. It was the pending question, and the Chair put it when the adoption of the conference report was pending. The question is on the motion to lay on the table a motion to reconsider the vote by which the report was agreed to.

Mr. LACEY. I ask to be recognized in opposition to that motion.

Mr. RICHARDSON. Was a motion made to lay the motion to reconsider on the table?

The SPEAKER. That is the motion before the House.

Mr. RICHARDSON. By whom was that motion made? I have not heard any motion made.

Mr. WARNER. I made the motion to lay on the table the motion to reconsider.

Mr. SHAFROTH. Yes; he made it.

Mr. RICHARDSON. I did not hear who made it. Now, Mr. Speaker, a parliamentary inquiry. If the House votes down a motion to lay on the table, it will then be in order to reconsider?

The SPEAKER. Certainly.

Mr. LACEY. We certainly ought to know about this. Here is a bill covering 600 pages.

The SPEAKER. The Chair will state to the gentleman from Iowa [Mr. LACEY] that we are in the closing hours of the session. Members of the House make a noise. It is impossible to keep them in absolute order, and we have no time for dilatory matters.

Mr. LACEY. I do not propose anything dilatory.

The SPEAKER. The Chair put the motion in the usual way, and certainly the Chair can be heard. The question is on the motion to lay on the table the motion to reconsider.

The question being taken, the Speaker announced that the noes appeared to have it.

Several members demanded a division.

The House divided; and there were—ayes 94, noes 81.

Mr. GAINES and Mr. LACEY demanded the yeas and nays.

The yeas and nays were ordered.

The SPEAKER. The motion is to reconsider the vote by which the report upon the Alaska bill is made, and a motion is made to lay that motion on the table. Those who are in favor of laying upon the table the motion to reconsider will, as their names are called, vote "aye;" those opposed, "no;" and the Clerk will call the roll.

Mr. LACEY. Mr. Speaker—

The SPEAKER. For what purpose does the gentleman rise?

Mr. LACEY. A parliamentary inquiry.

Several MEMBERS. Regular order!

The SPEAKER. The gentleman will state his parliamentary inquiry.

Mr. LACEY. It may save time. I want to ask a question. This whole matter turns on amendment No. 53. I want to know whether No. 53 is concurred in or whether the committee recedes?

Several MEMBERS. Regular order!

The SPEAKER. The regular order is demanded.

Mr. LACEY. That is what I want to know before we vote.

The SPEAKER. The Clerk will call the roll.

The question was taken; and there were—yeas 133, nays 119, answered “present” 10, not voting 90; as follows:

YEAS—133.

Acheson,	Dalzell,	Howell,	Pugh,
Adams,	Davenport, S. A.	Hull,	Ray,
Aldrich,	Davidson,	Jack,	Reeder,
Alexander,	Dayton,	Jones, Wash.	Roberts,
Allen, Me.	Dolliver,	Joy,	Rodenberg,
Babcock,	Eddy,	Kahn,	Russell,
Bailey, Kans.	Emerson,	Ketcham,	Shattuc,
Baker,	Esch,	Knox,	Shelden,
Barney,	Farris,	Landis,	Sherman,
Bartholdt,	Fletcher,	Lane,	Showalter,
Benton,	Fordney,	Littauer,	Sibley,
Bingham,	Foss,	Long,	Smith, Wm. Alden
Bishop,	Freer,	Lorimer,	Spalding,
Boreing,	Gardner, N. J.	Lovering,	Steele,
Boutell, Ill.	Gibson,	Lybrand,	Stevens, Minn.
Bowersock,	Gill,	McCall,	Stewart, N. Y.
Brick,	Gillet, N. Y.	McPherson,	Sullivan,
Brosius,	Gillett, Mass.	Mahon,	Taylor, Ohio
Brown,	Graham,	Mercer,	Thomas, Iowa
Brownlow,	Greene, Mass.	Mesick,	Thropp,
Burke, S. Dak.	Grosvenor,	Miller,	Tongue,
Burkett,	Grout,	Mondell,	Van Voorhis,
Burleigh,	Grow,	Moody, Oreg.	Vreeland,
Butler,	Hamilton,	Morgan,	Wadsworth,
Calderhead,	Haugen,	Mudd,	Warner,
Clarke, N. H.	Hawley,	Needham,	Waterson,
Connell,	Heatwole,	O’Grady,	Watson,
Corliss,	Hedge,	Olmsted,	Weaver,
Cousins,	Hemenway,	Otton,	Wise,
Cromer,	Hepburn,	Overstreet,	Wright,
Crumpacker,	Hill,	Packer, Pa.	Young,
Curtis,	Hitt,	Parker, N. J.	
Cushman,	Hoffecker,	Payne,	
Dahle, Wis.	Hopkins,	Pearce, Mo.	

NAYS—119.

Allen, Ky.	De Vries,	Lanham,	Ryan, Pa.
Allen, Miss.	Dinsmore,	Lassiter,	Salmon,
Bailey, Tex.	Dougherty,	Latimer,	Scudder,
Ball,	Driggs,	Lentz,	Shackford,
Bankhead,	Elliott,	Lester,	Shafrroth,
Barber,	Finley,	Lewis,	Sheppard,
Bell,	Fitzgerald, Mass.	Little,	Sims,
Bellamy,	Fitzgerald, N. Y.	Livingston,	Smith, Ky.
Bradley,	Fitzpatrick,	Lloyd,	Snodgrass,
Brantley,	Fleming,	Loud,	Stark,
Breazeale,	Foster,	Maddox,	Stephens, Tex.
Brenner,	Gaines,	Meekison,	Stokes,
Brewer,	Gaston,	Meyer, La.	Sulzer,
Burleson,	Gilbert,	Miers, Ind.	Sutherland,
Burnett,	Glynn,	Moon,	Swanson,
Caldwell,	Gordon,	Neville,	Tate,
Clark, Mo.	Griggs,	Newlands,	Tawney,
Clayton, Ala.	Hall,	Noonan,	Taylor, Ala.
Clayton, N. Y.	Hay,	Pierce, Tenn.	Terry,
Cochran, Mo.	Henry, Miss.	Polk,	Thayer,
Cooper, Tex.	Henry, Tex.	Randsell,	Thomas, N. C.
Cooper, Wis.	Howard,	Rhea, Ky.	Underwood,
Cox,	Johnston,	Rhea, Va.	Williams, J. R.
Crowley,	Jones, Va.	Richardson,	Williams, Miss.
Cummings,	King,	Ridgely,	Wilson, Idaho
Daly, N. J.	Kitchin,	Riordan,	Wilson, N. Y.
Davenport, S. W.	Kleberg,	Rixey,	Wilson, S. C.
Davis,	Kluttz,	Robinson, Nebr.	Zenor,
De Armond,	Lacey,	Rucker,	Ziegler,
De Graffenreid,	Lamb,	Ryan, N. Y.	

ANSWERED “PRESENT”—10.

Adamson,	Capron,	Morris,	Weymouth.
Bartlett,	Denny,	Otey,	
Bromwell,	Jett,	Southard,	

NOT VOTING—90

Atwater,	Fowler,	Mann,	Smith, Ill.
Barham,	Fox,	Marsh,	Smith, H. C.
Berry,	Gamble,	May,	Smith, Samuel W.
Boutelle, Me.	Gardiner, Mich.	Metcalf,	Sparkman,
Broussard,	Gayle,	Minor,	Sperry,
Brundidge,	Graff,	Moody, Mass.	Spight,
Bull,	Green, Pa.	Muller,	Sprague,
Burke, Tex.	Griffith,	Naphen,	Stallings,
Burton,	Henry, Conn.	Norton, Ohio	Stewart, N. J.
Campbell,	Jenkins,	Norton, S. C.	Stewart, Wis.
Cannon,	Kerr,	Pearson,	Talbert,
Carmack,	Lawrence,	Pearre,	Tompkins,
Catchings,	Levy,	Phillips,	Turner,
Chandler,	Linney,	Powers,	Underhill,
Cochrane, N. Y.	Littlefield,	Prince,	Vandiver,
Cooney,	Loudenslager,	Quarles,	Wachter,
Cowherd,	McAlear,	Reeves,	Wanger,
Crump,	McCleary,	Bob,	Weeks,
Cusack,	McClellan,	Robertson, La.	Wheeler, Ky.
Davey,	McCulloch,	Robinson, Ind.	White,
Dick,	McDowell,	Ruppert,	Williams, W. E.
Dovener,	McLain,	Slapden,	
Driscoll.	McRae,	Small,	

So the motion to reconsider was laid on the table.

The Clerk announced the following pairs:

For the session:

Mr. WANGER with Mr. ADAMSON.

Mr. BROMWELL with Mr. McDOWELL.

Mr. METCALF with Mr. WHEELER of Kentucky.

Until further notice:

Mr. LOUDENSLAGER with Mr. STALLINGS.

Mr. SAMUEL W. SMITH with Mr. QUARLES.

Mr. FOWLER with Mr. BARTLETT.

Mr. GARDNER of Michigan with Mr. ATWATER.

Mr. CAPRON with Mr. SLAYDEN.

Mr. BARHAM with Mr. TURNER.

Mr. STEWART of New Jersey with Mr. McALEER.

Mr. SOUTHARD with Mr. NORTON of Ohio.

Mr. MORRIS with Mr. McCULLOCH.

Mr. BULL with Mr. NAPHEN.

Mr. DOVENER with Mr. CATCHINGS.

Mr. WEYMOUTH with Mr. BROUSSARD.

Mr. SPERRY with Mr. COWHERD.

Mr. POWERS with Mr. BANKHEAD.

Mr. BISHOP with Mr. CAMPBELL.

Mr. WEEKS with Mr. BURKE of Texas.

Mr. REEVES with Mr. SPARKMAN.

Mr. TOMPKINS with Mr. FOX.

Mr. JENKINS with Mr. GAYLE.

Mr. SPRAGUE with Mr. ROBINSON of Indiana.

Mr. BOUTELLE of Maine with Mr. ROBERTSON of Louisiana.

Mr. LINNEY with Mr. ROBB.

Mr. GILLET of Massachusetts with Mr. McCLELLAN.

Mr. SMITH of Illinois with Mr. SPIGHT.

Mr. PRINCE with Mr. GRIFFITH.

Mr. PEARRE with Mr. DENNY.

Mr. MANN with Mr. JETT.

Mr. GRAFF with Mr. OTEY.

For this day:

Mr. KERR with Mr. BRUNDIDGE.

Mr. MORGAN with Mr. VANDIVER.

Mr. PEARSON with Mr. CARMACK.

Mr. BURTON with Mr. BERRY.

Mr. WACHTER with Mr. SMALL.

Mr. COCHRANE of New York with Mr. DAVEY.

Mr. DRISCOLL with Mr. COONEY.

Mr. LAWRENCE with Mr. GREEN of Pennsylvania.

Mr. McCLEARY with Mr. RUPPERT.

Mr. MINOR with Mr. MAY.

Mr. MOODY of Massachusetts with Mr. LEVY.

Mr. STEWART of Wisconsin with Mr. MULLER.

Mr. PHILLIPS with Mr. NORTON of South Carolina.

Mr. LITTLEFIELD with Mr. McLAIN.

On this vote:

Mr. CANNON with Mr. MCRAE.

Mr. HENRY of Connecticut with Mr. WILLIAM E. WILLIAMS.

Mr. DENNY. I ask leave to withdraw my vote. I voted “no.” I find I am paired with the gentleman from Maryland, Mr. PEARRE. I desire to be recorded as “present.”

Mr. ADAMSON. I find that the gentleman from Pennsylvania, Mr. WANGER, with whom I am paired, did not vote. I desire to withdraw my vote of “no” and to answer “present.”

Mr. OTEY. I am paired with the gentleman from Illinois, Mr. GRAFF. I desire to withdraw my vote and to be recorded “present.”

Mr. BARTLETT. I desire to withdraw my vote, being paired with the gentleman from New Jersey, Mr. FOWLER, and to answer “present.”

The result of the vote was announced as above recorded.

EXTRADITION.

Mr. RAY of New York. Mr. Speaker, I call up, on the Speaker’s table, the bill H. R. 11719, and move to nonconcur in the Senate amendments and ask for a conference.

The SPEAKER. The gentleman from New York calls up from the Speaker’s table the bill H. R. 11719 with Senate amendments, which the Clerk will read.

The Clerk read as follows:

A bill (H. R. 11719) to amend section 5270 of the Revised Statutes of the United States.

The SPEAKER. The gentleman from New York moves to nonconcur in the Senate amendment and ask for a conference.

Mr. FLEMING. I move to concur in the Senate amendment.

The SPEAKER. The gentleman from Georgia moves to concur in the amendment of the Senate.

Mr. HOPKINS. Mr. Speaker, before that is put I would like to know what the Senate amendment is.

Mr. SHAFROTH. Mr. Speaker, I ask that the amendment be read.

The SPEAKER. The Chair did not understand the gentleman from Colorado.

Mr. SHAFROTH. I ask that the amendment be read.

The SPEAKER. The Chair had directed the reading of the Senate amendment and supposed that had been done.

The Clerk proceeded to read the Senate amendment.

Mr. FLEMING. If the Chair will recognize me, I will withdraw my demand at present.

The SPEAKER. Does the gentleman withdraw his motion?

Mr. FLEMING. I withdraw the motion at this stage.

Mr. RAY of New York. We can settle it in conference in a short time.

The SPEAKER. The gentleman from New York asks unanimous consent to nonconcur in the Senate amendment and ask for a conference. Is there objection? [After a pause.] The Chair hears none, and appoints the following conferees: Mr. RAY of New York, Mr. KAHL, and Mr. SMITH of Kentucky.

ROBERT COATS.

Mr. BAILEY of Texas. Mr. Speaker, I ask unanimous consent for the present consideration of the resolution which I send to the desk.

The Clerk read as follows:

Resolved, That Robert Coats, now employed in the cloakrooms of the House of Representatives, be continued on the rolls of the Doorkeeper until the close of the present session, to be paid out of the contingent fund of the House, at the salary he is now receiving.

The SPEAKER. Is there objection to the present consideration of the resolution? [After a pause.] The Chair hears none.

The question was taken, and the resolution was agreed to.

On motion of Mr. BAILEY of Texas, a motion to reconsider the vote by which the resolution was agreed to was laid on the table.

ALEXANDRIA AND PINEVILLE BRIDGE COMPANY.

The SPEAKER laid before the House the following resolution of the Senate:

Resolved, That the Secretary be directed to request the House of Representatives to return to the Senate the bill (H. R. 10650) to authorize the Alexandria and Pineville Bridge Company to build and maintain a traffic bridge across Red River at the town of Alexandria, in the parish of Rapides, State of Louisiana.

Mr. PAYNE. Mr. Speaker, I offer the following resolution:

Resolved, That the Clerk be directed to inform the Senate that the bill of the House (H. R. 10650) to authorize the Alexandria and Pineville Bridge Company to build and maintain a traffic bridge across Red River at the town of Alexandria, in the parish of Rapides, State of Louisiana, and of which the Senate asked its return on June 4, was on that day signed by the Speaker and transmitted to the Senate.

The resolution was agreed to.

RETURN OF BILLS FROM THE PRESIDENT.

The Speaker laid before the House the following request of the Senate:

Resolved by the Senate (the House of Representatives concurring). That the President be requested to return to the Senate the bill of the Senate (S. 2483) granting an increase of pension to Lewis C. Beard.

The SPEAKER. Without objection, this resolution will be agreed to.

Mr. UNDERWOOD. What is the request?

The SPEAKER. The Chair did not understand the gentleman.

Mr. UNDERWOOD. I asked what was the request for unanimous consent.

The SPEAKER. This is a request of the Senate to return certain bills from the President.

The resolution was agreed to.

The SPEAKER also laid before the House the following resolutions of the Senate; which were severally considered, and agreed to:

Resolved, That the President be requested to return to the Senate the bill of the Senate 1551, granting a pension to John G. B. Masters.

Resolved, That the President be requested to return to the Senate the bill of the Senate 262, granting an increase of pension to William Blades.

PUBLIC MONEYS.

The Speaker also laid before the House the bill (H. R. 9388) to provide better facilities for the safe-keeping and disbursement of public moneys in the Philippine Islands and in the islands of Cuba and Porto Rico, with Senate amendments.

Mr. COOPER of Wisconsin. Mr. Speaker, I move that the House nonconcur in the Senate amendments to the bill (H. R. 9388) and ask for a conference.

The motion was agreed to; and the following conferees were appointed: Mr. COOPER of Wisconsin, Mr. HITT, and Mr. JONES of Virginia.

MILITARY ACADEMY APPROPRIATION BILL.

Mr. HULL. Mr. Speaker, I ask unanimous consent that the amendments of the Senate to the Military Academy appropriation bill may be disagreed to, and that the bill be sent to a conference.

Mr. UNDERWOOD. Mr. Speaker, I object.

Mr. HULL. Then, Mr. Speaker, I move that the amendments be considered in the House as in Committee of the Whole.

The SPEAKER. The gentleman from Iowa, chairman of the Committee on Military Affairs, calls up the bill making appropriations for the Military Academy, and moves that the amendments be considered in the House as in Committee of the Whole.

Mr. RICHARDSON. I make the point of order that he can not make that motion.

Mr. HULL. Then I ask unanimous consent that the amendments be considered in the House as in Committee of the Whole.

The SPEAKER. The gentleman amends his proposition, and asks unanimous consent that the amendments be considered in the House as in Committee of the Whole.

Mr. UNDERWOOD. I object.

Mr. HULL. Then I move that the House resolve itself into Committee of the Whole House on the state of the Union for the purpose of considering the amendments of the Senate.

The SPEAKER. The Chair will call the attention of the gentleman from Iowa to the fact that this bill has not yet been sent to his committee, and that will have to be done by unanimous consent.

Mr. HULL. Very well; I withdraw my motion, and let it lie on the table.

The SPEAKER. The Chair will refer it to the committee, if it is done by unanimous consent.

Mr. HULL. I withdraw my motion.

Mr. UNDERWOOD. I would not object to the bill being considered in the Committee of the Whole.

The SPEAKER. The gentleman has not asked to have it considered in Committee of the Whole House on the state of the Union.

Mr. HULL. I will ask unanimous consent.

The SPEAKER. The gentleman asks unanimous consent that the bill be considered in the Committee of the Whole House on the state of the Union. Is there objection.

Mr. UNDERWOOD. I would like to ask the gentleman a question pending that. There are a number of important questions involved in this bill. A number of gentlemen on this side of the House desire to discuss this bill and wish a reasonable time for general discussion. I would like to know what arrangement the gentleman will make.

Mr. HULL. Does the gentleman mean in general debate?

Mr. UNDERWOOD. Yes.

Mr. HULL. What does the gentleman consider a reasonable time?

Mr. UNDERWOOD. I think an hour on this side of the House would be a reasonable time.

Mr. HULL. I have no objection to an hour on a side in discussion of the bill.

Mr. UNDERWOOD. I think that would be satisfactory to us—an hour on each side.

Mr. MOODY of Massachusetts. Confined, Mr. Speaker, to the provisions of the conference report.

The SPEAKER. Pending the motion of the gentleman from Iowa, it is understood that one hour on each side shall be devoted to general debate, one hour to be controlled by the gentleman from Iowa [Mr. HULL] and one hour by the gentleman from Alabama [Mr. UNDERWOOD].

Mr. UNDERWOOD. I will ask that the hour on this side be controlled by the gentleman from Virginia [Mr. HAY], the senior member of the Committee on Military Affairs.

Mr. WILLIAM E. WILLIAMS. Mr. Speaker, I make no objection to that if permission is given to those who speak to extend their remarks in the RECORD.

Mr. HULL. That is a matter I can not settle.

Mr. JAMES R. WILLIAMS. Then, Mr. Speaker, I ask that that be added to the request.

The SPEAKER. The gentleman asks that there be added to the request permission to those who participate in the debate to extend their remarks in the RECORD.

Mr. PAYNE. For what period of time, Mr. Speaker?

Mr. SULZER. Ten days.

Mr. JAMES R. WILLIAMS. Five days.

Mr. SULZER. Well, five days.

Mr. TAWNEY. Is it understood that the extension shall be confined to the subjects of this conference report?

Mr. BAILEY of Texas. I will state to the gentleman from Minnesota that it is usual at this time of the session to grant a privilege like that asked for by the gentleman from Illinois.

Mr. TAWNEY. I will withdraw my objection, Mr. Speaker, if it is the custom.

The SPEAKER. Is there objection to the request? [After a pause.] The Chair hears none.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union, with Mr. CAPRON in the chair, for the consideration of the Senate amendments to the Military Academy bill.

The CHAIRMAN. The House is now in Committee of the

Whole House on the state of the Union for the consideration of Senate amendments to the Military Academy bill. The Clerk will read the first amendment.

Mr. HULL. Mr. Chairman, I ask unanimous consent that the formal reading of the amendments be dispensed with; they will be read as they are reached.

The CHAIRMAN. Without objection, the first reading of the amendments will be dispensed with.

There was no objection.

Mr. HULL. Mr. Chairman, I do not care to take up the time of the committee in any discussion of these amendments. I am inclined to think that every member of the House is entirely familiar with them. The Senate makes but little addition to the total appropriation carried in the bill, but it has made some very material changes in the law governing some of the departments of the Military Academy, and also some material changes in the number of the cadets, also promotions for the General of the Army and the Adjutant-General of the Army. I prefer, so far as I am concerned, to say what I desire to say on each amendment when we come to consider them under the five-minute rule. I will now yield to the gentleman from Minnesota [Mr. McCLEARY].

[Mr. McCLEARY addressed the committee. See Appendix.]

Mr. HULL. I will reserve the balance of my time. I do not know that we shall want to occupy an hour.

Mr. HAY. Mr. Chairman, I yield twenty-five minutes to the gentleman from Illinois [Mr. JAMES R. WILLIAMS].

Mr. JAMES R. WILLIAMS. Mr. Chairman, I believe the Senate of the United States made a very serious mistake when it ratified our late treaty with Spain, one which has already cost this country a great deal of bloodshed and treasure. But I do not agree with those gentlemen who contend that it is now too late for Congress to correct this mistake, do justice to the people of the Philippine Islands, and restore to the Republic its lost honor and glory. The treaty itself provides: "The civil rights and political status of the native inhabitants of the territories hereby ceded to the United States shall be determined by the Congress." It is left for Congress, after the ratification of the treaty, to determine the status of these people, and, pursuant to this provision of the treaty, Congress has taken no action so far as the Philippine Islands are concerned.

But I deny that we had the right to buy those people without their consent, and upon that question I wish to read briefly from Halleck's International Law, volume 2, page 472:

The rule of public law, with respect to the allegiance of the inhabitants of a conquered territory, is no longer to be interpreted as meaning that it is absolutely and unconditionally acquired by conquest, or transferred and handed over by treaty, as a thing assignable by contract, and without the assent of the subject. On the contrary, the express or implied consent of the subject is now regarded as essential to a complete new allegiance.

But, for the sake of argument, admitting that we had the right to buy the allegiance of those people, then, sir, we have a much better right to release it now and make them free. Mr. Speaker, the American people can not be made too familiar with our short and bloody history in the Philippine Islands. Time will not permit me to go into as thorough an examination of all the evidence bearing upon our relations to those islands as I would like, but so far as the limitations of this debate will permit I desire to place before Congress and the country some of the most important facts connected with this sad transaction; and, in order to fairly determine the rights of all concerned, it might be well to go back to the very beginning of our war with Spain and read the resolution of Congress approved by the President on April 20, 1898, which was as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, First. That the people of the island of Cuba are, and of right ought to be, free and independent.

Second. That it is the duty of the United States to demand, and the Government of the United States does hereby demand, that the Government of Spain at once relinquish its authority and government in the island of Cuba and withdraw its land and naval forces from Cuba and Cuban waters.

Third. That the President of the United States be, and he hereby is, directed and empowered to use the entire land and naval forces of the United States, and to call into the actual service of the United States the militia of the several States, to such extent as may be necessary to carry these resolutions into effect.

Fourth. That the United States hereby disclaims any disposition or intention to exercise sovereignty, jurisdiction, or control over said island except for the pacification thereof, and asserts its determination, when that is accomplished, to leave the government and control of the island to its people.

Approved, April 20, 1898.

It will be observed that in this resolution we disclaimed any intention to exercise sovereignty, jurisdiction, or control over the island of Cuba except for its pacification. And our then humane President declared in his oft-repeated words, "Forcible annexation of territory under our code of morals would be criminal aggression." These noble sentiments so nobly expressed inspired the great heart of the Republic with a new devotion to the Declaration of Independence and a desire to see the oppressed of other

lands enjoying the precious blessings of self-government. And so we inscribed upon our national banner the righteous sentiment that America was going to war not for conquest, not for territory, but for humanity itself. We were sending our money and our men to fight not for ourselves, but that others might be free.

The liberty-loving people throughout the world read our innocent and humane intentions with supreme admiration, but none with more enthusiasm than the people of the Philippine Islands. This great act of magnanimity on the part of America seemed to have no likeness in history, and now how painful it is to see its crowning glory tarnished with that criminal greed which characterizes the war now going on in the Philippine Islands. I desire now to call the attention of the House to the correspondence of our own representative at Manila, as well as other consuls, naval and military officers of the United States bearing upon the conditions existing in those islands previous to and at the time we intervened in behalf of Cuba, and also up to the time we entered upon the treaty with Spain. I will first read from page 319, Senate Document 62 of Fifty-fifth Congress, containing the evidence before the Paris Commission.

February 22, 1898—Oscar Williams, American consul at Manila to Washington Government, pages 319-320:

Peace was proclaimed, and since my coming festivities therefor were held; but there is no peace and there has been none for about two years. Conditions here and in Cuba are practically alike. War exists, battles are almost of daily occurrence, ambulances bring in many wounded, and hospitals are full. Prisoners are brought here and shot without trial, and Manila is under martial law.

The Crown forces have not been able to dislodge a rebel army within 10 miles of Manila, and last Saturday, February 19, a battle was there fought and 5 dead left on the field. Much of such information is found in my longer dispatch, referred to, and which is at your command.

A republic is organized here, as in Cuba. Insurgents are being armed and drilled, and are rapidly increasing in numbers and efficiency, and all agree that a general uprising will come as soon as the Governor-General embarks for Spain, which is fixed for March.

March 19, 1898, Williams to State Department, page 321:

Rebellion never more threatening to Spain. Rebels getting arms, money, and friends, and they outnumber the Spaniards, residents, and soldiers probably a hundred to one.

March 27, 1898, Williams to the State Department, page 321:

Cavite is the naval port of Luzon, situated about 8 miles across the bay from Manila and about 20 miles distant by way of bay shore and public highway, and last Thursday, March 24, a Crown regiment of natives, the Seventy-fourth, stationed there, was ordered to advance against native insurgents near by. The regiment refused to obey orders, and eight corporals were called out and shot to death in presence of the regiment, which was again ordered to advance and threats made that a refusal would be death to all. All did refuse and were sent to barracks to await sentence. On the morning of the following Friday, March 25, the entire regiment, with arms and equipments, marched out of the barracks and deserted in a body to the insurgents, saying they were willing to fight the foreign enemies of Spain, but would not fight their friends.

Since beginning this dispatch I learn of the desertion to the insurgents of another entire regiment. These are said to be the severest setbacks received by Spain during the two years' insurrection here.

Remember, all this was going on in the Philippine Islands before our declaration of war against Spain. It shows war was in progress in those islands—battles almost daily—Crown forces not able to dislodge a rebel army within 10 miles of Manila. Insurgents were being armed and drilled and increasing rapidly in numbers—outnumbered the Spaniards a hundred to one. Two whole Spanish regiments of native troops deserted and joined the insurgents within a few days of each other. A republic is organized there as in Cuba. All these conditions existed at the time of our declaration of war, showing that there was at that time less Spanish sovereignty in the Philippine Islands than in Cuba.

We declared that the Cubans were, and of right ought to be, free and independent. With the same conditions then existing in the Philippine Islands what Senator or Member would have risen in his seat and declared that while the people of Cuba were entitled to their freedom, the Filipinos were not?

What would have been the verdict against our Christian President if he had then declared that while the forcible annexation of Cuba would be criminal aggression, the forcible annexation of the Philippines against the will of their people would be a most righteous act. There was no ground for any distinction between those people then, and there is none now, and, as I will show you, the representatives of our Government recognized no distinction.

It is true our declaration of war refers only to Cuba, because it was so near our own shores we were more familiar with their grievances, and, being of the same hemisphere, under more obligations to intervene for its independence. But the same great principles of humanity which induced us to intervene for the independence of Cuba would at least compel us to place no obstruction before the Filipinos in their gallant attempt to achieve theirs. So, Mr. Chairman, our representatives and officers felt fully justified in making the representations and pledges which I will now show they did make to the Filipinos before and after our Army entered their country.

Let me now read from a communication of Mr. Pratt, American

consul at Singapore, to our Secretary of State, found on page 341, Senate Document 62:

Mr. Pratt to Mr. Day.
[Confidential.]

No. 212.]

CONSULATE-GENERAL OF THE UNITED STATES.

Singapore, April 28, 1898.

SIR: I have the honor to report that I sent you on the 27th instant, and confirmed in my dispatch No. 211 of that date, a telegram, which deciphered read as follows:

SECRETARY OF STATE, Washington:

General Aguinaldo gone my instance Hongkong arrange with Dewey co-operation insurgents Manila.

PRATT.

The facts are these: On the evening of Saturday, the 23d instant, I was confidentially informed of the arrival here, incognito, of the supreme leader of the Philippine insurgents, Gen. Emilio Aguinaldo, by Mr. H. W. Bray, an English gentleman of high standing, who, after fifteen years' residence as a merchant and planter in the Philippines, had been compelled by the disturbed condition of things resulting from Spanish misrule to abandon his property and leave there, and from whom I had previously obtained much valuable information for Commodore Dewey regarding fortifications, coal deposits, etc., at different points in the islands.

Being aware of the great prestige of General Aguinaldo with the insurgents, and that no one, either at home or abroad, could exert over them the same influence and control that he could, I determined at once to see him, and, at my request, a secret interview was accordingly arranged for the following morning, Sunday, the 24th, in which, besides General Aguinaldo, were only present the General's trusted advisers and Mr. Bray, who acted as interpreter.

At this interview, after learning from General Aguinaldo the state of and object sought to be obtained by the present insurrectionary movement, which, though absent from the Philippines, he was still directing, I took it upon myself, whilst explaining that I had no authority to speak for the Government, to point out the danger of continuing independent action at this stage; and having convinced him of the expediency of cooperating with our fleet, then at Hongkong, and obtained the assurance of his willingness to proceed thither and confer with Commodore Dewey to that end, should the latter so desire, I telegraphed the Commodore the same day as follows, through our consul-general at Hongkong:

Aguinaldo, insurgent leader, here. Will some Hongkong arrange with Commodore for general cooperation insurgents Manila if desired. Telegraph.

PRATT.

The Commodore's reply read thus:

"Tell Aguinaldo come soon as possible."

"DEWEY."

I received it late that night, and at once communicated to General Aguinaldo, who, with his aid-de-camp and private secretary, all under assumed names, I succeeded in getting off by the British steamer *Malacca*, which left here on Tuesday, the 26th.

Just previous to his departure I had a second and last interview with General Aguinaldo, the particulars of which I shall give you by next mail.

The General impressed me as a man of intelligence, ability, and courage, and worthy the confidence that had been placed in him.

I think that in arranging for his direct cooperation with the commander of our forces I have prevented possible conflict of action and facilitated the work of occupying and administering the Philippines.

If this course of mine meets with the Government's approval, as I trust it may, I shall be fully satisfied; to Mr. Bray, however, I consider there is due some special recognition for most valuable services rendered.

How that recognition can best be made I leave you to decide.

You will observe that Mr. Pratt telegraphed the Secretary of State as early as April 27, 1898, that he was arranging for Aguinaldo to cooperate with Dewey. And in his communication of April 28 Mr. Pratt makes it clear to the Washington Government that he sought out Aguinaldo himself and earnestly invited him to cooperate with our forces against Spain. Pratt had telegraphed to arrange with Dewey for their cooperation, and Dewey had replied, "Tell Aguinaldo come as soon as possible." Come for what? Come to cooperate with Dewey against the Spanish army. Come for what—to help Americans? No; to help the people of his own country. To liberate them, according to his arrangement with Mr. Pratt.

Pratt knew at the first interview on what terms Aguinaldo would cooperate with us, and those terms were the independence of the Filipinos; and knowing all this, Pratt urged Aguinaldo and his people into the fight. Why did Mr. Pratt select Aguinaldo for this work? He tells you why: Because he was a man of intelligence, ability, and courage, honest and worthy of the confidence which had been placed in him; and because there was no one at home or abroad who could exercise so much influence over the Filipinos as Aguinaldo. This is Mr. Pratt's opinion of Aguinaldo after he had had an opportunity to find out who he was and what he was, and that is why he was the one man sought out by Mr. Pratt to enlist the Filipinos to cooperate with the American Navy and Army against the Spanish forces.

Again, on page 343, same document, Pratt to Day:

The General further stated that he hoped the United States would assume protection of the Philippines for at least long enough to allow the inhabitants to establish a government of their own, in the organization of which he would desire American advice and assistance.

Again, on same page, Pratt to Day:

SIR: I have the honor to submit for your consideration a proclamation in Spanish, issued prior to the departure of our fleet for Manila by the insurgent leaders in Hongkong, calling upon the Filipinos not to obey the appeal of the Spaniards to oppose the Americans, but to rally in support of these, as they came as their friends and liberators.

Three copies of the English translation of the above I also inclose for handing to the press, should that in your opinion seem advisable.

COMPATRIOTE: Divine Providence is about to place independence within our reach, and in a way the most free and independent nation could hardly wish for.

The Americans, not from mercenary motives, but for the sake of humanity and the lamentations of so many persecuted people, have considered it opportune to extend their protecting mantle to our beloved country, now that they have been obliged to sever relations with Spain, owing to the tyranny this nation is exercising in Cuba, causing enormous injury to the Americans, who have such large commercial and other interests there.

We, your brothers, are very much afraid that you may be induced to fire on the Americans. No, brothers, never make this mistake. Rather blow your own brains out than fire a shot or treat as enemies those who are your liberators.

Here is the first proclamation made to the Filipinos after the arrangement between Consul Pratt and Aguinaldo for their cooperation with the American forces.

This strong appeal to the people of the Philippine Islands declares that the Americans, not for mercenary motives but for the sake of humanity, extend their protecting mantle to the Filipinos; speaks of the Americans as their liberators, and says Divine Providence is about to place independence within their reach. This proclamation was made to the Filipinos and intended to circulate among them to induce them to join with the American Army and Navy to conquer the Spanish forces, and all with the full knowledge of Consul Pratt, who at once made it known to the Washington Government. So the American Government well knew that the Filipinos were being impressed with the belief that their cooperation with our forces against Spain would result in their independence, and, on May 24, 1898, Aguinaldo issued a proclamation which contained the following:

Filipinos, the great nation, North America, cradle of true liberty, and friendly on that account to the liberty of our people, oppressed and subjugated by the tyranny and despotism of those who have governed us, has come to manifest even here a protection which is decisive as well as disinterested toward us, considering us endowed with sufficient civilization to govern by ourselves this our unhappy land.

Such was the appeal made to the Filipinos to induce them to leave their naked and starving families to engage in a war which they had been told was being waged for their independence, and all this with the full knowledge of American officers and the American Government. This was Aguinaldo's proclamation, which an American consul outlined for him.

Listen while I read from page 337, same document:

Consul Wildman at Hongkong to Secretary of State.

Immediately on the arrival of Aguinaldo at Cavite he issued a proclamation, which I had outlined for him before he left.

And Mr. Wildman, our American consul, admits that he assisted Aguinaldo in outlining this proclamation, which was to induce the Filipinos to believe that the Americans were coming as their friends and liberators to give them their independence.

Again, on page 350 of same Senate document:

Pratt to Day.

In this communication Mr. Pratt sends to Mr. Day copies of an address delivered that afternoon by Filipinos to Mr. Pratt, with a serenade, and also a copy of Mr. Pratt's reply to the address. The following appears in the address of the Filipinos:

Our countrymen at home, and those of us residing here, refugees from Spanish misrule and tyranny in our beloved native land, hope that the United States, your nation, persevering in its humane policy, will efficaciously second the programme arranged between you, sir, and General Aguinaldo in this port of Singapore, and secure to us our independence under the protection of the United States.

Part of Mr. Pratt's reply.

Rest assured, though, that I fully understand and sincerely appreciate the motives which have prompted your present action, and that your words, which have sunk deep in my heart, shall be faithfully repeated to the President, to Admiral Dewey, and to the American people, from whom I am sure that they will meet with full and generous response.

In this address to Mr. Pratt the Filipinos declare that it was the arrangement between Aguinaldo and Mr. Pratt that their people should secure their independence, and instead of denying the allegation Mr. Pratt virtually admits it when he replies that their words have sunk deep into his heart; that they shall be faithfully reported to the President, Admiral Dewey, and the American people, from whom he assures them they will meet with a full and hearty response. And so our representatives had been courting Aguinaldo and his followers and making them all kinds of assurances from April up to the 16th of June before a single word of disapproval went out from Washington.

But on the 16th of June for the first time Mr. Day, Secretary of State, sent to Mr. Pratt the following telegram:

[Telegram.]

Day to Pratt.

DEPARTMENT OF STATE, June 16, 1898.

Two hundred and twelve received and answered. Avoid unauthorized negotiations with Philippine insurgents.

DAY.

Here, for the first time, the greedy hand of criminal aggression makes its appearance.

Next, on page 357, same document:

Day to Pratt.

The extract now communicated by you from the Straits Times of the 9th of June has occasioned a feeling of disquietude and a doubt as to whether some of your acts may not have borne a significance and produced an impression which this Government would be compelled to regret.

The address presented to you by the 25 or 30 Filipinos who gathered about the consulate discloses an understanding on their part that the object of Admiral Dewey was to support the cause of General Aguinaldo, and that the ultimate object of our action is to secure the independence of the Philippines "under the protection of the United States."

Your address does not repel this implication, and it moreover represents that General Aguinaldo was "sought out by you," whereas it had been the understanding of the Department that you received him only upon the request of a British subject named Bray, who formerly lived in the Philippines.

Mr. Day here admits that Mr. Pratt has given the Filipinos to understand that America would favor their independence, and says it has caused some disquietude in Washington. Why should it cause the Administration any disquietude if he was out for humanity and not for plunder? Mr. Day nowhere instructs Mr. Pratt to correct the false impression which he has made on Aguinaldo and undeceive those people. Mr. Day attempts to claim in this communication that it had not been his understanding that Mr. Pratt had sought out Aguinaldo in the first instance. This is not true. Mr. Pratt notified Mr. Day in April, and stated very clearly, that he had hunted up Aguinaldo in the first instance, and that he, Pratt, took the first step in making this arrangement with Aguinaldo.

Next, on page 339, same document:

August 9, 1898.—Wildman to State Department, speaking of Aguinaldo, said, page 339:

"I have striven to retain his influence and have used it in conjunction with and with the full knowledge of both Admiral Dewey and Consul Williams."

And again, on page 390, same document:

July 4, 1898, Brigadier-General Anderson to Aguinaldo, page 390:

HEADQUARTERS FIRST BRIGADE,
UNITED STATES EXPEDITIONARY FORCES,
Cavite Arsenal, Philippine Islands, July 4, 1898.

Señor Don EMILIO AGUINALDO,
Commanding Philippine Forces, Cavite, Luzon.

GENERAL: I have the honor to inform you that the United States of America, whose land forces I have the honor to command in this vicinity, being at war with the Kingdom of Spain, has entire sympathy and most friendly sentiments for the native people of the Philippine Islands.

For these reasons I desire to have the most amicable relations with you, and to have you and your people cooperate with us in military operations against the Spanish forces.

Here our very first general to land at Luzon earnestly invites Aguinaldo and his followers to cooperate with the Americans against the Spanish forces. And this a long time after the Washington Government knew the Filipinos were expecting their independence from their cooperation with us.

Next, see page 391, same document:

Major Jones to Aguinaldo.

We are here to befriend the Filipinos.

Also, page 394:

General Anderson to Aguinaldo.

GENERAL: When I came here three weeks ago I requested your excellency to give what assistance you could to procure means of transportation for the American army, as it was to fight in the cause of your people.

Mark the language of our General Anderson to Aguinaldo. He says the American Army is here to fight in the cause of your people. What was the cause of the Filipinos unless it was their independence? This was their cause as understood by them and the representatives of our Government, and that is just what they thought General Anderson meant when he said we were there to fight in their cause.

Now, Mr. Chairman, I don't care whether you call those people our allies or what you call them. There can be no question but what the representatives of our Government, our military and naval officers, in the very beginning of our war with Spain earnestly invited and urged Aguinaldo and his followers to cooperate with our forces against the Spaniards, at the same time giving them to understand that by such cooperation they would be able to secure their own independence.

And it is just as true that the Filipinos and their leaders accepted our pressing invitation for cooperation with the plain understanding that our success meant their freedom.

Our consuls knew this; our military and naval officers knew this; our Secretary of State and our President knew this. They all knew that the Filipinos were cooperating with us, believing all the time that they were fighting for their own independence. And why should they not think so? Our own consuls and officers on land and sea had assured them as much. Aguinaldo, their great leader, had proclaimed it to them on many occasions with the full knowledge of the American Government. He had assured them repeatedly in the presence of American officers that the American troops were there as their friends, as their liberators, to fight in their cause.

They had read what a liberty-loving people the Americans are; they had studied our Declaration of Independence and the Constitution of our country; they had read our humane resolutions in favor of Cuba's independence; they had heard of our great Christian President who had in one of his righteous moments so eloquently declared that under our code of morals the forcible annexation of territory without the consent of its inhabitants would be criminal aggression.

They believed that their prayers for independence, like those from Cuba, had met with a responsive chord in the great heart of the Republic. No wonder they believed the immortal Dewey had come to defend and not to destroy their liberty.

Yes, Mr. Chairman, it was the strong appeal of Aguinaldo to his followers, in which he assured them that their independence was now in sight, that induced them to leave their naked and starving families to cooperate with our forces in that dreadful conflict. They were not fighting for fun; they were not fighting for America, but for themselves; they believed they were shedding their blood in their own cause, and not in ours; they believed they were fighting not for Cuba's freedom, but their own independence; they never dreamed that they were fighting only for a new master. They had been told by our representatives that the Americans were not out for plunder or territory, but on the high mission of humanity. And this is why they received our sailors and soldiers with open arms and anxious hearts. They never dreamed then that they were pressing to their heart the serpent's tooth that would destroy forever their last hope of freedom.

It was the unselfish patriotic consideration of national independence that tempted these poor people from their families and their homes into the dangers of war, into the dread of battle. Our Administration knew all this, our President knew all this and made no effort to correct this false impression or undeceive those people. But absorbed in his great work of regeneration he permitted and encouraged these poor, starved, distressed, deceived people to sacrifice their property and their lives upon his mercenary altar of concealed selfishness. The very fact that we invited them to cooperate with us was evidence to them that we were there as their friends and not as their enemies, that we were there to free their country and not to steal it. But, Mr. Chairman, let us consider the extent of their cooperation, and in this connection I wish to read.

May 24, 1898. Williams to Day, page 329:

To-day I executed a power of attorney whereby General Aguinaldo releases to his attorneys in fact \$400,000, now in bank in Hongkong, so that money therefrom can pay for 3,000 stand of arms bought there and expected here to-morrow.

June 16, 1898. Williams to Day, page 329:

SIR: I have the honor to report that since our squadron destroyed the Spanish fleet on May 1, the insurgent forces have been most active and almost uniformly successful in their many encounters with the Crown forces of Spain. Gen. Emilio Aguinaldo, the insurgent chief, who was deported late in 1897, returned recently to Cavite and resumed direction of insurgent forces. He is not permitted by his people to personally lead in battle, but from headquarters governs all military movements. He told me to-day that, since his return, his forces had captured nearly 5,000 prisoners, nearly 4,000 of whom were Spaniards and all of whom had rifles when taken. General Aguinaldo has now about 10,500 rifles and 8 field pieces, with 8,000 more rifles, 2 Maxim guns, and a dynamite gun bought in China and now in transit. The insurgents have defeated the Spaniards at all points except at fort near Mateo, and hold not only North Luzon to the suburbs of Manila, but Batanay province also, and the bay coast entire save the city of Manila. * * * We fear the city may fall too soon.

These are the reports of our own consul at Manila to our Secretary of State.

It will be observed from the report of our own consul, as well as from other sources, that Aguinaldo and his followers to the number of over 30,000 had driven all the Spanish forces into Manila, cut off all sources of supply by land, captured several thousand Spanish prisoners and a large quantity of arms; that Aguinaldo had used \$400,000 of his own money in buying arms for the Filipinos; and so great was the success of the insurgents that our consul there says he is afraid Manila would fall too soon; afraid Manila would surrender before our own army could arrive to claim the victory; and all this before an American soldier was landed on the island.

Why does our consul fear Manila will fall too soon? Why fear its surrender to the insurgents, unless, perchance, he had already received some secret intimation of that greed which was then stealing its form into the great heart of our humane President. Mr. Speaker, is it not plain to everyone that millions of American money and thousands of American soldiers would have been required to accomplish what these brave Filipinos accomplished, in forcing Spain to an early surrender? And on the extent of their achievements let me read now from page 500, General Whittier before Paris Commission:

Aguinaldo's headquarters are at Malolos, 23 miles up the railroad. His troops control all the settled part of the island (except Manila), as well as much of the southern country.

Their conduct to their Spanish prisoners has been deserving of the praise of the world.

Mr. FRYE, page 501:

Q. Were they of material assistance to us?

A. Very great. If the protocol had not been signed I think the Spanish at home would have insisted upon their army doing something. They dismissed Augustin because he was not disposed to fight, and I think if they had not had this experience of having been driven back into the city and the water cut off, so that even Jaudenes said that he could not remove his noncombatants, the Government would have insisted on his making a fight, and he could have made a very good one, for his position was strong, if they had any fight in them at all. But every place had been taken from them by the Filipinos, who managed their advances and occupation of the country in an

able manner. * * * Their skill in trades, occupations, and professions is very great.

Yet after all this valuable assistance, after all this earnest and successful cooperation with our troops and at our request, General Merritt, in his statement before the commission, on page 367, says:

Before that time, rather early after my arrival there at Manila, I had telegraphed to the War Department of the possible trouble that might arise with the insurgents, and asked for instructions as to whether I should consider them as enemies and treat them accordingly in such case. To that request I had no reply.

No, Mr. Speaker, the evil influences surrounding the President at that time would not permit him to advise our general at Manila to even treat the Filipinos as our friends, and he was ashamed to instruct him to treat them as our enemies. So he resolved to continue his policy of deception and make no answer at all.

On what meat doth this our Caesar feed that he hath grown so fat?

He knew those people had been our devoted friends from the beginning to the end of that contest, and yet he had not the humanity to say so. Some of our officers treat their representations and promises to the Filipinos so lightly as to claim they were made only for the purpose of enabling them to use those people in their military operations. We had no right to deceive them in order to use them for our purpose.

We had no right to call them from their wives and children to be butchered in the trenches for our consideration alone. But notwithstanding the repeated pledges of our officers, notwithstanding the solemn declaration of our President that forcible annexation would be criminal aggression, notwithstanding all the sacrifices made by those people in their friendly cooperation with us, yet before the smoke of battle had cleared away, before the cries of sorrow had been hushed, before our slaughtered allies had been covered in trenches, our righteous President and his Christian advisers were carefully and secretly planning how to rob them of their country. Let me now give you the evidence to support this allegation. I now read from General Merritt before the Paris commission, page 365:

General MERRITT. I understand the question was asked from Washington, If we took but one island, which was the best to seize upon.

To this Admiral Dewey replied:

Luzon is in almost all respects the most desirable of these islands, and therefore the one to retain. (See page 385.)

To further illustrate the early greed of the Administration, let me read from Commodore Bradford before Paris Commission, page 472.

Q. Will you please state your name, residence, and position in the United States Navy?

A. R. B. Bradford, commander, United States Navy, Chief Bureau Equipment, Navy Department, Washington, D. C.

Q. How long have you been in the naval service of the United States?

A. Since 1861.

Q. When were you at Manila?

A. I was there first in 1867, again in 1868, and again in 1869; not since.

Q. Have you had any occasion recently to investigate the situation on these islands?

A. During the past two months I have made a study of the islands and their value as colonies of the United States.

Q. We have driven the Spanish Government out of the Philippines; there is no Spanish authority there now, or practically none.

Q. Of course I am interested, primarily, from a military point of view, on account of my profession.

Q. It seems to me that they are parcelling out the coast of China, and we should be in it, or as near as possible.

Q. I presume that we will act on the defensive only?

A. I hope not.

Q. Having undertaken a war with specific declaration that it was undertaken with an utter absence of intention to acquire territory, with a definite object defined and declared, and having accomplished that object so defined and declared, would not you believe there is some moral obligation to adhere to that declaration?

A. Nations, as well as individuals, have a right to change their minds.

MR. FRYE, pages 488-489:

Q. I would like to ask just one question in that line. Suppose the United States in the progress of that war found the leader of the Philippine rebellion an exile from his country in Hongkong and sent for him and brought him to the islands in an American ship, and then furnished him 4,000 or 5,000 stands of arms, and allowed him to purchase as many more stands of arms in Hongkong, and accepted his aid in conquering Luzon, what kind of a nation, in the eyes of the world, would we appear to be to surrender Aguinaldo and his insurgents to Spain, to be dealt with as they please?

A. We become responsible for everything he has done; he is our ally, and we are bound to protect him.

Q. The power of Spain having become largely paralyzed, the native people of the southern islands have been enabled to practically take charge.

Here is a naval officer who, according to his own statement, was set to work by the Administration early in August, perhaps before Manila surrendered, to investigate the situation in those islands, and who claims he spent over two months studying these islands and their value as colonies of the United States. Listen to his language, colonies of the United States! "Value" was the controlling consideration that was guiding our humane President in his war of liberation as early as August, 1898.

How anxious the President was to learn, as early as possible, whether there was enough gold and other valuable resources in those islands to justify a humane President in carrying on the

great work of regeneration among those people. [Applause.] In short, he wanted to know whether there was enough in it to pay him to Christianize those islands.

So, before the war was scarcely ended, while the trenches were still hot with the patriotic blood of our Philippine allies, he had his man studying the value of these islands as colonies of the United States, not as Territories of the United States or as future States of the Republic, but as colonies of the United States. Talk about these islands coming to us as the accident of war! Why, sir, the Paris Commission was as completely packed as was ever a jury before a justice of the peace to accomplish the mercenary work which it did accomplish. The selfish desire of the American syndicate does not depend upon accident to satisfy its craving appetite for greed.

The forcible annexation of the Philippine Islands was as carefully planned as any act of this Administration. But you will observe from Commodore Bradford, on page 486, he says that he is an interested witness on account of his profession. He says, "It seems there is to be a parcelling out of the coast of China, and we must be in it." And when one of the commissioners, referring to the probable future course of our Navy, said to this witness, "I presume we will act on the defense only," his answer was, "I hope not." His hope was that we would be the aggressors in war, that hereafter it would be war for conquest and not for liberty. And when asked if, having undertaken the war with the declaration that it was not for territory, we were not morally bound to adhere to that declaration, this interested witness of the Administration, in the cold and selfish language of human greed, answers, "Nations as well as individuals have a right to change their minds." Evidently he had been training under McKinley.

You will observe that Senator FRYE in his question gives a very strong reason against turning those islands over to Spain, and it is just as strong against annexing them to the United States by force. But, Mr. Speaker, Commodore Bradford was not the only interested witness before the commission, but all the principal witnesses were military or naval officers, and equally interested with Commodore Bradford for the same reason. It is true an occasional Englishman was permitted to be heard, for we were trying to become a little English, you know. In that connection let me read again from General Whittier's statement, page 501.

* * * I will digress here to say that the British at Manilla, at Hongkong, Singapore—all over the East—are more than anxious we shall hold the islands. There is such a contrast in the expression of good will and admiration of our country with the feelings of only a few years ago. It seems to me that every day for the past six weeks some Englishman has said to me in the strongest terms, "There should be an Anglo-American alliance."

* * * To take all the islands and ignore the natives would be impracticable and unwise.

* * * It will be admitted that England has been the only successful administrator of colonial government in the world.

* * * I think 10,000 men would soon suffice for us, and after a year it could be reduced to a much smaller number.

They seemed to think it would be so nice, you know, for England to have America as her neighbor and ally in all future wars for conquest and commerce. That it would be so agreeable for England to enjoy the warm friendship of America while she was engaged in destroying a republic in South Africa. And now on the President's question of valuable consideration, let me read from the statement of Hon. Frank A. Vanderlip, Assistant Secretary of the Treasury (page 503):

In the days when Washington enunciated the policy of political isolation the questions that were before parliaments and assemblies were questions of individual freedom, of representative government, of civil and political rights. The debates of the legislative bodies of the nations are no longer on those lines. They are on finance and questions of commercial development. It is the age of commerce, and it is commerce that has for a generation been shaping the foreign policy of every nation but ours.

* * * While richens await a progressive people in the development of the agricultural and mineral resources of the country, there is still another source of wealth not yet drawn upon and toward which the attention of capitalists in this country has already been directed. A company is now forming for the purpose of invading the forests which clothe the slopes of the mountain ranges and cover thousands of acres of the valley lands not yet under cultivation. (Page 570.)

This representative of the Administration announces the new doctrine of expansion. He says in the days of Washington the questions before parliaments and assemblies were questions of individual freedom and representative government, but that today they are questions of finance and commerce; that under the McKinley administration the getting of money and the accumulation of wealth were of greater concern than the rights and liberties of the people. And he seemed to speak more wisely than he knew. And you will notice from his statement that our timber kings were organizing and preparing to swipe down upon the valuable forests of these islands long before our treaty was yet concluded. And no doubt they took occasion to whisper into the ear of our President some very strong reasons for forcible annexation.

Now, Mr. Chairman, in order to show how much Spanish sovereignty remained in the Philippine Islands when our Paris commissioners were trying to buy it, let me call your attention to the statement of Commodore Bradford, page 485. He says all Spanish

government had been driven out of the islands. He had been engaged for over two months investigating conditions there for the Administration, and he declares that there was no Spanish sovereignty there. And yet that is what the Administration was trying to buy and what it now claims we did buy.

And along this line let me read from the report of Mr. Sargent, approved by Admiral Dewey, and made after a thorough investigation over the island of Luzon in October and November, 1898, with Paymaster Wilcox and with the permission of Admiral Dewey. Here is the report:

At that time the military forces of the United States held control only in Manila, with its environs, and in Cavite, and had no authority to proceed farther. In the meantime the native population, taking matters into their own hands, had declared their independence from all foreign jurisdiction and had set up a provisional government with Aguinaldo at its head. Although this government has never been recognized, * * * it can not be denied that in a region occupied by many millions of inhabitants for nearly six months it stood alone between anarchy and order. It was the opinion at Manila during this period, and possibly in the United States, that their condition was something akin to anarchy.

But he adds:

We found the conditions to be much at variance with this opinion.

It is true this provisional government of Aguinaldo was dictatorial, but the Filipinos were assured, and they had confidence in the assurance, that a republican form of government should be substituted just as soon as conditions would permit. This dictatorial government was only temporary and was the best to be expected under existing conditions. I will say, however, that it was no more dictatorial than the present McKinley government now administered in those islands as well as in Cuba and Porto Rico. It was at least their own government. And if a people must submit to a dictatorial government, it is much better that the dictator should be one of their own number, dependent upon the people governed for his power, rather than be governed by a foreign dictator, backed by a foreign army, and in no way responsible to or dependent upon the governed.

The evidence of most everyone who traveled over those islands after the war closed and up to the time the treaty was concluded, was that peace and good order everywhere prevailed, showing that these people were capable of self-government if left undisturbed to take care of themselves. And on that point I wish to call your attention to the familiar statement of Admiral Dewey, found on page 383:

In a telegram sent to the Department on June 23 I expressed the opinion that "these people are far superior in their intelligence and more capable of self-government than the natives of Cuba, and I am familiar with both races." Further intercourse with them has confirmed me in this opinion.

After Admiral Dewey had had an opportunity to study those people, and observe the ability, intelligence, and capacity of their leaders, he declares they were far superior to the Cubans, and more capable of self-government. They had demonstrated their sublime patriotism and their great desire for freedom and self-government upon a thousand battlefields. They wanted to make a government to suit themselves, instead of having themselves made to suit a government. As our forefathers in 1776 believed Americans should be governed by Americans and not by Englishmen so in 1898 the Filipinos believed they should be governed by Filipinos and not by Americans.

While they had the highest admiration for the American Government and our republican institutions, yet they were not so sure they would share in all its blessings by submitting to our power, and that they were right in this conclusion has been clearly demonstrated by our treatment of Porto Rico up to this time.

And in this connection let me read from Mr. Vanderlip, Assistant Secretary of the Treasury, on page 570:

There can be no thought of assimilation. It can not be expected that the people of these islands will ever be brought to a comprehension of our institutions. We need not even hope for sympathetic submission.

And in addition to this let me call your attention to the statement of Major Bell before the commission, page 380:

There is not a particle of doubt but what Aguinaldo and his leaders will resist any attempt of any government to reorganize a colonial government here. They are especially bitter toward the Spaniards, but equally determined not to submit any longer to being a colony of any other government.

Aguinaldo—honest, sincere, and poor, not well educated, but a natural leader of men, with considerable shrewdness and ability; has the power of creating among the people confidence in himself, and is undoubtedly a very popular man, highly respected by all.

In speaking of Aguinaldo, he says: "He is honest, sincere, poor; not well educated, but a natural leader."

Now, Mr. Chairman, when we sum up all the facts before the Paris commission, we are brought to these conclusions:

As early as February 22, 1898, two months before our declaration of war against Spain, a revolution was going on in the Philippine Islands; a republic was organized there as in Cuba; insurgents were being armed and drilled and rapidly increasing in numbers. As early as March two native regiments had deserted the Spanish forces and joined the insurgents; that before our military forces ever reached the islands the insurgents had an army of over 30,000 men, had captured several thousand prisoners, a large number of arms with ammunition, had driven the Spanish

forces into Manila, and virtually destroyed the sovereignty of Spain in all other parts of the islands.

That there was less Spanish sovereignty in the Philippines than in Cuba on April 20, 1898, when Congress declared Cuba was and of right ought to be free and independent. That in the very beginning we had disclaimed any intention of acquiring territory by that war and declared forcible annexation would be criminal aggression.

That our consuls, naval and military officers earnestly invited Aguinaldo and his followers to cooperate with our forces against the Spanish army, and by their repeated pledges and assurances made them believe that such cooperation would result in their freedom. That the Filipinos accepted our invitation and joined with our forces with the plain understanding that it meant the independence of their country. That the Administration, with full knowledge of all these facts, permitted and encouraged the Filipinos thus deceived by the false representations of our officers to continue their hearty and effective cooperation with us up to the close of the war. That they rendered very material aid in forcing Spain to an early surrender. That their friendly cooperation with us saved our Government millions and millions of money and thousands of American lives.

Now, sir, in view of their friendly relations with us and the very important part which they had taken in this destructive war right in their own country, it seems to me when a commission was selected to form a treaty involving not only the liberty and property of those people, but their very lives as well, they were entitled to a fair hearing before that commission.

They were far more interested in the disposition and government of those islands than either Spain or America. Surely their cause should have been represented before the commission, and represented by their people.

Instead of that the Administration treated them as strangers. Ah, more, it treated them as enemies. And the very fact that the Filipinos were entirely ignored in all the proceedings before the commission, where their whole future was on trial, shows the President was proceeding in this matter without any regard whatever for the rights and interests of those people. With six American commissioners and six Spanish commissioners, each set contending for the ownership of these islands and the allegiance of their inhabitants, while the poor Filipinos were not permitted to appear even as witnesses in their own cause.

They were in every respect just as much entitled to their freedom and independence as the people of Cuba. And no Republican ever has, and no Republican ever will, give a single sound reason why the Filipinos should not have received from us at the close of the war the same friendship, the same sympathy and treatment, we had promised the people of Cuba. And if our President had given those people such assurances he would have saved every dollar of money and every drop of blood wasted in this unholy war.

But notwithstanding the earnest desire of those people for independence, notwithstanding the flattering promises and assurances of our officers, notwithstanding their friendly and successful cooperation with our forces against a common enemy, notwithstanding they had destroyed the sovereignty of their Spanish master, notwithstanding the righteous professions of our President, he turned a deaf ear to all their cries for sympathy, to all their appeals for humanity, to all their prayers for freedom, and coolly resolved in his great Christian heart that while to annex Cuba by force would be criminal aggression, the forcible annexation of the Philippines would be a most righteous act, and having surrendered his supposed conscience upon the altar of greed, he boldly pushed forward his new imperial scheme, though he had been assured by his own representatives that he could never assimilate those people to our institutions; that they would never submit to become colonies of the United States without an endless war. In truth, he was well advised that if he insisted upon the retention of those islands by force he would have to pay for them in the end with American blood.

No one dare contend that the American commissioners could not have forced Spain to relinquish her sovereignty in the Philippines just as she did in Cuba, upon the same terms and without the cost of a single dollar.

But acting under the instructions of the President, at no time during the proceedings did the commissioners make any such request. Spain would have submitted to almost any demands from the United States rather than resume a war so hopeless and destructive. Morally we had no right to appropriate those islands to pay for Cuba's freedom, and history will never record a baser ingratitude than the shameful treatment inflicted upon those poor, helpless people by Mr. McKinley. Though they had been our loyal friends in battle, though they had justly earned their independence and our sympathy, he boldly buys them as so many cattle, in order that he may have the right to shoot them down in the name of Christianity.

What has befallen our worthy President that he should thus

seek to speculate in human flesh? Sir, according to Lincoln's idea of liberty, according to Lincoln's idea of humanity, there is not enough gold in all the vaults of America to purchase a single human soul. [Applause on Democratic side.] How can the American people, how can the noble descendants of Washington, Jefferson, and Lincoln ever excuse such a burning outrage upon human rights and human freedom? And all this, sir, in the name of Christianity. I do not care if the author of such criminal conduct wears a face as sanctified as Christ himself, there is not as much Christianity in all this as you could cram into a grain of mustard. The idea of insisting that we are now engaged in shooting down those people for their own good! Sir, I would rather be a live man under my own Government than a dead man under McKinley's government.

I would rather be a freeman under my own government than a bound subject under McKinley's Government.

Better to dwell in freedom's hall,
With a cold, damp floor and moldering wall,
Than bow the head and bend the knee
In the proudest palace of slavery.

The best government for any people is their own government.

Those people believe, as we believe, in the great principle of self-government, and when we govern ourselves that is self-government; but when we undertake to govern somebody else that is not self-government. In the language of the immortal Lincoln:

When one man governs himself, that is self-government; but when he governs himself and some other man, that is more than self-government, that is despotism.

Lincoln believed in that great principle of our Declaration of Independence, that all men are created free and equal, and endowed by their Creator with certain inalienable rights. That among those rights are life, liberty, and the pursuit of happiness. That to secure those rights governments are instituted among men deriving their just powers from the consent of the governed; and Mr. McKinley added to this, before his fall from grace, that it must be the consent not of a part but of all the governed.

With a government founded upon this great principle of human equality, how can we attempt to impose a government upon some other people against their will? Where do we get such supreme power? The answer of the imperialist is: Providence, destiny, the white man's burden. Yes: the black man's corpse is the white man's burden under this Administration. With all the arrogance and conceit of Satan himself, you hear it proclaimed by the imperialist that the Almighty has very wisely chosen America as his trustee in this great work of reformation. Just think of an all-wise, all-just, all-merciful God selecting such a notorious old sinner as MARK HANNA, of Ohio, to lead in this great work of regeneration. [Laughter.]

Let me stop here to warn the Almighty that if He ever goes into partnership with MARK HANNA in the Philippine Islands or anywhere else, He better keep close watch on His own dominions. Yes; while the Almighty and McKinley, or, as some would say, McKinley and the Almighty, with gleaming swords, hungry for human flesh, are reaping their sheaves of glory in the hot harvest of war, MARK HANNA, the silent partner, and his lieutenants are engaged in robbing the contribution box. [Laughter.] Behold how difficult it is for the combined military power of the United States and the invincible forces of heaven to conquer Aguinaldo and his starving followers. Just imagine what an interesting war it would be with the Almighty on the other side—the side of humanity.

Ah, Mr. Chairman, I can not believe the Almighty ever intended His saving grace should be incased in deadly shells and sent crashing through the hearts of His helpless children in order to teach them the love of the Lord. Sir, to slaughter those people in their own homes, fighting for their own freedom, is crime enough without charging it up to the cause of the Almighty. Only a short time ago it was testified to before the Committee on Insular Affairs, by several gentlemen of character and respectability, that when the Americans first landed in Manila there were only three or four places there where intoxicating liquors were sold, while today there are over 400 saloons in Manila, all doing an immense business, principally owned and run by Americans, paying the insignificant license of \$3 a year. And the intoxication has increased so rapidly and become so appalling as to invoke the severest criticism from some of Mr. McKinley's own appointees to that island. And so the work of benevolent assimilation goes on, the Almighty furnishing the missionaries while McKinley furnishes the dramshops at the low rate of \$3 apiece.

No, Mr. Speaker, the Almighty has no hand in this cruel, mercenary war, but the awful responsibility for all this bloodshed and sorrow is on no one but this Administration. I do not forget the influence of the President's evil advisers, but to bow to their selfish will is a part of his own criminal aggression.

And this reminds me of a little incident said to have occurred at the White House a few days ago. An old lady from Ohio, clasping the President's hand at one of his receptions, said: "Mr. Presi-

dent, I had a dream about you last night." "And what was it, auntie?" "I dreamed I died and went to heaven, and when I reached the Portals I was directed to go down a long hall and enter a room at the end of it, where I would find a large black board and a box of chalk, and there I should write down all the sins I had ever committed, and as I started down I met you coming from this same room. I said, 'Why Mr. McKinley, where are you going?' 'After more chalk,' was your reply." [Laughter and applause.]

It only goes to show, Mr. Speaker, that a sinner does not have to be born again in order to become President of the United States.

Sir, this may be treason to imperialism. So is the Declaration of Independence. But treason to imperialism is the highest patriotism to the Republic. So far as the firing of the first gun is concerned, it is of but little consequence who began this war between the Americans and Filipinos. The supreme consideration is what were the causes which lead to it? What was the provocation for it?

The Filipinos remained peaceable and quiet until they saw the Paris treaty only provided for them a change of masters. That they were to be denied their independence and made colonies of the United States without any assurances for the future.

This treaty did not provide, as did the treaty of Jefferson and all other treaties of the United States, that the inhabitants of the ceded territory should become citizens of the United States. And the Filipinos had a right to infer that they were to be made subjects, and not citizens, taxed without representation and governed without their consent. Against such treatment they had freely shed their blood in many a hard-fought battle.

So, when they had learned their fate in the treaty, and saw the American armies gathering in their own country, as they believed, to destroy their last hope of liberty, what would you expect them to do but prepare to defend their freedom?

What did the American colonies do under similar circumstances? The Filipinos were right in their aspirations for independence, and they are only following in the footsteps of our Revolutionary fathers in their heroic struggle for liberty.

It is certainly better to be governed by their own representatives with such a constitution as they may adopt than to be governed by Americans without any constitution at all; and it must be remembered that the Republicans in this Congress have declared that we are not bound by the Constitution while legislating for our colonies, but that Congress may legislate for them with the same imperial despotic power as the British Parliament. Our shameful treatment of Porto Rico has fully justified the Filipinos in all their suspicions against our Government. It clearly demonstrates that in legislating for colonies we will be controlled by our interests, and not theirs.

We have been very quick to show that American despotism is no better than any other despotism. And the fact that we are a Christian people makes it no easier to endure our crimes. Look at our carpetbag government down in Cuba, where the American trustees, selected by McKinley, are robbing their wards of thousands and thousands of dollars, while teaching them the beneficence of American civilization and the beauties of American honesty. [Applause on Democratic side.] Another act of Providence, I suppose. It is enough to cause the Almighty to repudiate the trust and dissolve partnership with HANNA and McKinley forever. And this is the kind of colonial government the Filipinos have a right to expect if they ever submit to our power. We will govern them not for their good, but our gain.

Mr. Chairman, so far I have been considering this question as it affects the rights and interests of the people of those islands. But where comes from all this any benefit, honor, or glory to the American people? Admit, as is true, that we are now holding onto those islands and shooting down their inhabitants, not for their good, but our gain, will it pay us in the end as a financial proposition? We have already sent to the Philippines nearly 65,000 soldiers, at annual cost, including transports and other expenses, of about \$100,000,000.

If every dollar of their trade should come to us and every cent were profit, it would not pay one-half its cost. But, Mr. Chairman, it is not necessary to own those people in order to secure their trade; all we have to do with them or any other people is to give them a better bargain than they can get elsewhere. And this we will always be able to do if American genius is only permitted to pursue its useful inventions along the inspiring avenues of peace, undisturbed by the interregnum of war.

I would rather have their friendship without the burden of their government. But it is insisted we need harbors and coaling stations in those islands in order to extend our trade in the Orient. Sir, we could easily secure all those without cost if we would only consent to the independence of those people. Washington once said:

The great rule of conduct for us in regard to foreign nations is, in extending our commercial relations, to have with them as little political connection as possible.

But it is eloquently contended by the imperialist that those

islands are so rich with precious metals, valuable ores, and productive soil their annexation would greatly increase our national wealth. Sir, admitting that under our partnership with the Almighty we have a perfect right to take all those natural benefits away from the people to whom they now belong, and with religious ceremony appropriate them to ourselves as deserving Christians, who would be permitted to enjoy these new sources of fortune? Certainly the American farmer would never go to that hot climate to seek a new home, and if he should, with his limited means, he could never hope to succeed in raising coffee, sugar, and other tropical products in competition with the large corporations which would soon own and control most all the valuable lands of those islands.

Surely the American laborer would never go there to compete with the cheap pauper labor of that country; but the American trusts and syndicates, whose capital would enable them to establish and maintain large plantations and factories in those islands, employ pauper labor for that work, bring their products to America for high prices, and reap their millions from these new colonies, they would enjoy this new harvest. No one understands this better than the President himself.

Sir, regardless of the millions of money already expended, regardless of the untold suffering we have already inflicted upon those liberty-loving people, I would not give the twenty-five hundred or three thousand brave, healthy, stalwart American soldiers whom Mr. McKinley has already sacrificed in that hotbed of disease and destruction for all the islands in all the seas.

But why stop to consider the lives of twenty-five hundred American soldiers, for in the cold and mercenary language of imperialism, what is the precious blood of an American boy compared with a nugget of gold from the Philippine Islands? [Applause on Democratic side.] What is the lives of a whole American army compared with the vast streams of wealth which will flow into the vaults of American syndicates from those new possessions if we will only continue to tax our people and sacrifice our soldiers to satisfy their greed?

And all this, sir, for the extension of our commerce. While I am anxious, as every American should be anxious, for the expansion of our commerce by every honorable means, yet, sir, I have no desire for that commerce which has to be bought at the high price of human blood. I prefer to seek it along the commercial highway of peace and good will. If we continue to govern those people by force, it will always require a large and expensive army and navy. And in this connection we must not forget the serious dangers to the Republic from maintaining a large standing army in time of peace. It will be a menace to our liberties, and forever destroying their safeguards by intimidating the citizen.

It always craves war instead of peace. Without war its vocation is a failure. It is war, destructive war, that brings promotions and increased salaries to its ambitious officers. It is far more dangerous than a volunteer army in the hands of a President who may use it according to his imperial will. It belongs to an empire and not a republic. It furnishes many desirable offices which may be used to influence Congress in favor of certain military legislation. Its great and growing influence upon the action of this body is no longer a secret. It can not be denied that favorite and incompetent sons have been appointed recently to positions in the Army for no other consideration than to secure the good will of the father in this House. It is by far the most dangerous enemy that confronts the rights and liberties of the American people to-day.

And I have not yet called your attention to the great increased burden of taxation it brings upon the people. But a few years ago our annual appropriation for the Army was less than \$25,000,000, while for the present fiscal year they will run to over \$127,000,000. This means for a county of 25,000 people a tax of over \$40,000 a year for the Army alone. If we are to continue this course of militarism, indeed it will not be long till every farmer who follows the plow and every laborer who sweats in the shop or mine will carry a soldier on his back at least one-half the time.

Our total appropriations for this year will run to over \$700,000,000, or over \$9 for every person in the United States. This means an annual tax of over \$225,000 for a county of 25,000 people, and nearly one-third of this vast sum is paid for Army and Navy alone, and when you add to this the amount paid for pensions, you increase the sum to about \$350,000,000 for Army, Navy, and pensions alone.

Mr. Chairman, a government, like an individual, must fix a limit upon its expenditures, and the more it spends for one purpose the less it can spend for some other.

The more it appropriates to maintain a large standing army to serve the country in time of peace the less it can appropriate for the old soldiers who served the country in time of war. Sir, I believe in the volunteer soldier; he can always be depended upon to fight for liberty, and should never be used against it. He can always be depended upon to carry our flag wherever its honor and glory point the way.

I repeat, I would rather pay the valiant volunteer soldier a liberal pension for having served his country in time of war than pay a large standing army to serve their country in time of peace. But as I have already observed, the more the Government spends in one direction the less it can afford to spend in some other.

If the friends of a large standing army are to continue in control of this Government and continue their heavy and extravagant appropriations for military purposes, they will surely prove to be a great limitation upon pensions in the future. If the great expense of the Army makes it necessary for the President to place some restraint upon pensions, he will have no difficulty in finding a Commissioner to carry out his purpose. Let me call your attention to another important fact in this connection.

It has already been discovered that the climatic conditions in the Philippines are such that our soldiers can not endure that country more than a year or two until those who survive the ravages of disease and the fate of battle must be returned to the United States and exchanged for some more good, healthy American boys to feed to those craving demons of war. And nearly every brave soldier who there falls in battle or expires from disease will leave some deserving widow, dependent mother, or helpless orphan to go upon our pension roll. And nearly every soldier who has the good fortune to return from that fatal mission, whether wounded in battle or wrecked by disease, will be entitled to a pension.

So, Mr. Chairman, we see how impossible it is to estimate the great volume of money, bloodshed, and sorrow resulting from all this criminal folly. But, some one exclaims, our country is in war, and we must stand by our country, right or wrong. This is not our country's war; it is McKinley's war. It is not a war against Aguinaldo; it is a war against human liberty, and every victory achieved by our Army and every Filipino slain by our soldiers only adds to the disgrace and dishonor of the American Government.

It is neither cowardly nor dishonorable to abandon a wrong when discovered. In fact, it often requires more courage to admit you are wrong and call a halt than to deny the crime and go ahead.

All we have to do is to remember and respect our own Declaration of Independence. Say to those people, lay down your arms and take up your liberties; we prefer your friendship to your blood, and not another drop shall be required as a ransom for your freedom. Establish your own republic to suit your own people, and we will give you our encouragement and protection. We now tender to you the same friendship, the same sympathy, the same treatment we promised Cuba.

Sir, this would end the war—end it in honor, end it in glory.

Those people are anxious for peace, but more anxious for freedom.

Of course we can destroy them. We are strong, and they are weak. We can kill them, but never conquer them. We can write our laws in their hearts with our bayonets, and they will still resist them. There is no obedience in that, there is no peace in that, there is no Christianity in that, there is no honor in that.

Now, Mr. Chairman, I am satisfied your party will end this war before this month expires. Not by shot and shell, but by a well-loaded resolution to be adopted by the Philadelphia convention. But the death rate there will go on just the same. I have no doubt that you will kill Aguinaldo several times during the campaign.

If we annex those islands, we must govern them in one of two ways. We must either govern them under the Constitution as a part of the United States, or govern them outside of the Constitution as colonies of the United States. If we proceed to govern them under the Constitution, then their inhabitants except those in tribal relations become citizens of the United States, and we must permit their pauper laborers to go and come whenever they please and settle in any of our States to compete with the American laborer. In other words, if we govern them under the Constitution, they become Americans, the same as other inhabitants of the United States. I can not believe the American people will ever endorse a policy so dangerous to their own welfare and happiness.

It will hardly be contended by those who insist the Filipinos are not fit to govern themselves that they are fit to govern Americans. And yet we must govern them under the Constitution, in the manner I have suggested, or we must govern them in violation of the Constitution as colonies. To govern them as colonies we must believe Congress, created by the Constitution, is greater than the Constitution; that Congress has the power to do certain things not authorized by the Constitution, but prohibited by it; that Congress has the same unlimited despotic power as the British Parliament, as now contended by the imperialists; we must believe as the Republicans believe, that Congress may sit one hour with the Constitution over it, legislating for the American citizen, and the next hour, with the Constitution under its feet, legislating for the American subject. And this is to be our new dual system of government.

Have you no fears that Congress may become so much accustomed to legislating as an American parliament for our colonial subjects that it may neglect or disregard the Constitution while legislating for the American citizen? I can not believe our people will ever approve a policy so destructive to the liberties of other people and so dangerous to the liberties of our own. For let me warn you that the men who would destroy the liberties of other people are not very safe guardians for the liberties of our own people.

But in answer to all these allegations we are met with the very eloquent but empty phrase, "Who will pull down the flag?" I answer the American Government, whenever its honor and glory require it; but no other power on earth shall ever haul it down. Our Government has always pulled it down from places where it did not belong. It pulled it down in Mexico, in Canada, and if we observe our sacred pledge we will haul it down in Cuba whenever its people desire it.

We better haul it down in Cuba now than have it longer wave over that fair island as the banner of larceny and corruption. [Applause on Democratic side.] I would rather see it go down in honor than up in dishonor; down as the emblem of liberty than up as the emblem of despotism. Our flag should never remain in any land where the Constitution can never go and American liberty can never dwell. I would rather have it snatched from its mast a thousand times than see its sacred folds unfurled to the breeze as the new banner of American imperialism, the funeral signal of the Republic.

Who will pull down the flag? Task, Who will pull down the Declaration of Independence? Who will pull down the Constitution? The sad echo comes from the White House—William, the conqueror, he will pull them down. He has already torn from their sacred pages the sublime sentiments of liberty and freedom, and written in their stead, in letters of blood, the bitter words of tyranny and oppression.

Would to God the Republican party of to-day contained within its ranks another Lincoln, to check it in its downward course of criminal aggression and restore it to the sacred precincts of human liberty it once enjoyed. [Applause on Democratic side.]

But the question is frequently asked by gentlemen on the other side, How can the Democrats oppose the annexation of those islands when Jefferson, their great founder, was such an expansionist? Jefferson was an expansionist, but not an imperialist. Jefferson's expansion consisted in acquiring territory here on this hemisphere, then in the possession of a foreign power, thereby removing from our very doors a European colony whose presence here made war more threatening and defense more difficult.

McKinley's expansion gives us territory 10,000 miles from this capital, and carries us right into the broils and entanglements of all the warring powers of Europe. Jefferson's expansion removed the foreign flag from our shores, while McKinley's expansion carries our flag into a foreign land. Jefferson's expansion strengthened our fortifications and made it easier to defend our territory than before; while McKinley's expansion weakens our fortifications and makes our national defense more difficult and expensive. Jefferson acquired territory with a population of one to every 25 square miles, with a climate adapted to our people, and suitable for American homes, while McKinley is trying to acquire territory with a population of over 70 to the square mile, with a climate entirely unfit for our people and never intended for American homes. Jefferson acquired territory to become future States of the Republic, inhabited by American citizens, while McKinley is acquiring territory to become colonies of the United States, inhabited by subjects and not citizens. Jefferson expanded the Republic with our territory, while McKinley is expanding our territory without the Republic.

Jefferson's expansion carried to the inhabitants of the new territory the glad message of peace and constitutional liberty, while McKinley's expansion carries to the inhabitants of the new territory the sad message of death and despotism. No liberty, no freedom, no happiness! Jefferson's annexation gave the inhabitants of the ceded territory representation with taxation and a government with the consent of the governed. McKinley's annexation gives to the inhabitants of the new territory taxation without representation and government without the consent of the governed.

Jefferson's expansion was republicanism; McKinley's expansion is imperialism. How absurd to compare the peaceable annexation of territory here on our own hemisphere, right at our own door, thinly settled, good climate, and suitable for homes for our own people, and for future States of the Republic, with the forcible annexation of several hundred small islands 7,000 miles from our nearest shores; with a climate unfit for Americans; with a dense population of people alien to our Government, our institutions, and our civilization. Who will be so blind as not to see the distinction?

No, Mr. Chairman, McKinley imperialism will find no likeness in the whole history of this Republic. Thank God, America has

had but one Napoleon, and I hope she may never have another. [Applause on Democratic side.]

Already American liberty under this Administration has become too timid to sympathize with the oppressed of other lands now struggling for that same liberty and freedom which we ourselves enjoy. If we had a Washington, Jefferson, or Lincoln in the White House to-day, the American Government would be sympathizing with the liberty-loving Boers of South Africa instead of their British oppressors.

But it is whispered we are now in the act of becoming a world power, and no one must disturb the evolution. Why, sir, we have been a world power for over a hundred years. We are now, and for years have been, the mightiest world power on the face of the earth, made so not by war, but by peace—long reigns of peace. Sir, what has contributed more to our rapid progress as a nation than the pure sunlight of peace, which has cast its rays of glory into every corner of the Republic?

Under its sweet influence we have expanded in education, science, art, literature, useful inventions, and all the happy auxiliaries of a progressive civilization. Who is not proud of our whole history as a republic, living under the Constitution and within the Constitution as our fathers made it? Who would exchange it now for an empire? With such supreme satisfaction of our past, why imperil the future by attempting new schemes or trying new experiments? Why not permit the old ship of state to sail on upon that same well-tried sea, which will surely carry it safely through to higher honors and grander glories for the Republic?

But, alas, who will haul down the flag? I answer, who will haul down McKinley? The people, the liberty-loving people. They will haul him down early in November. They will snatch from his imperial brow his glittering crown bought with the blood of his countrymen, and enthrone in his place of power that gallant champion of human rights, that fearless defender of human liberty, and crown him with the Declaration of Independence and the Constitution of the Republic. [Applause on the Democratic side.]

Mr. HAY. I will ask the gentleman from Iowa [Mr. HULL] if he desires to consume any of his time? If not, I yield five minutes to the gentleman from Tennessee [Mr. GAINES].

Mr. GAINES. Mr. Chairman, there is in progress in the State of New York, in the city of New York, a fight led by a great Democratic journal against an ice trust in that city. I venture to say that I voice the sentiment of everyone on this side of the House and the Democrats throughout this land when I say "Let no guilty man escape punishment." The New York World of June 2 printed the names of a great many of the leading Republicans and Democrats who are engaged in this ice combine, and the distinguished gentleman from New York [Mr. RAY], the chairman of the Judiciary Committee of this House, undertook in Saturday's proceedings here to give the list of stockholders as set forth in the World of June 2, and that list contained not only the names of leading Democrats but also the names of leading Republicans.

But, to my surprise, the gentleman took his pen and scratched out every one of the names of the "Republicans" named in the paper, and then inserted it in the RECORD. Mr. Chairman, he omitted the name of J. Sloat Fassett, former State senator, who was the Republican candidate for governor and defeated. He omitted "Henry G. Burleigh, a Republican politician," and "WILLIAM E. CHANDLER, Republican Senator from New Hampshire."

Mr. Chairman, that is not dealing fairly with the House or with the public. It is not telling all the truth when all the truth is expected and when all the truth should be had. In addition to that, Mr. Chairman, while that same leading Republican teacher, in his report in favor of his constitutional amendment, quoted almost all of the opinion in Richardson *vs.* Buhl (77 Michigan Reports), he failed to quote the part that shows that Russell A. Alger, the Republican ex-Secretary of War, was the manager that put up the trust which combined the matchmaking concerns in Canada and this country in one combine. I read from the opinion of the court, page 641 (77 Michigan Reports):

Memorandum of agreement between David M. Richardson, of the first part, and Christian H. Buhl and Russell A. Alger, of the second part, all of Detroit, Mich., witnesseth as follows.

Then follows the contract combine, about which the court said: It was to organize and put into operation one of the greatest monopolies of the age, or rather to aid in so doing.

And again, said the court:

Monopoly in trade or in any kind of business in this country is odious to our form of government.

But General Alger was the vis major in this trust.

Justice Champlin, in his opinion, says:

General Alger was a witness in the case, and was asked by his counsel the following question:

"It appears that during the years 1881 and 1882 large sums of money were expended to keep men out of the match business, and in some instances purchase other match factories. I will ask you to state the reasons, if any there are, why those sums should not be treated as an expense of the business and charged off from this account?"

To which he replied:

"Because the price of matches was kept up to correspond, so as to pay these expenses and make large dividends above what could have been made had those factories been in the market to compete with the business."

It also appears from the testimony of General Alger that the organization of the Diamond Match Company was in a measure due to his exertions. There is no doubt all the parties to this suit were active participants in perfecting the combination called "The Diamond Match Company," and that the present dispute grows out of that transaction and is the fruit of the scheme by which all competition in the manufacture of matches was stifled, opposition in the business crushed, and the whole business of the country in that line engrossed by the Diamond Match Company. Such a vast combination as has been entered into under the above name is a menace to the public. Its object and direct tendency are to prevent free and fair competition and control prices throughout the national domain. It is no answer to say that this monopoly has, in fact, reduced the price of friction matches. The policy may have been necessary to crush competition. The fact exists that it rests in the discretion of this company at any time to raise the price to an exorbitant degree. Such combinations have frequently been condemned by courts as unlawful and against public policy.

Mr. Chairman, I have not time to comment on this, but the distinguished chairman of the Judiciary Committee, in his speech and in his report, never alluded to the fact, nor did any single gentleman on the other side of the House, that General Alger was the getter-up of this combine, one that increased the price of matches bought by the people living in the little cabin throughout this broad land.

Mr. Chairman, the gentleman from Ohio [Mr. GROSVENOR] said a few days ago that the Standard Oil Company was not abroad in the glorious State of Ohio. I contend that it is, because Gen. F. S. Monnett, in his letter published in this morning's New York Journal, says the Standard Oil trust is still in Ohio and defies the courts and goes unpunished, and the Republican legislature recently adjourned, refusing to pass any anti-trust laws. He says this morning, in the New York Journal, this:

If the majesty of the law is to be enforced against the street railway employes, why not against the trust criminals in St. Louis and Ohio, as well as in New York?

The Standard Oil trust has for eight years defied the supreme court of Ohio, and yet without punishment.

A Republican legislature in Ohio deliberately voted down every anti-trust resolution offered this winter, at the dictation of the bosses at Washington and the trust magnates of New York, but the rank and file of that party are awaiting their noble efforts in your fight in New York City.

F. S. MONNETT.

The Standard Oil trust has for eight years defied the Ohio courts and goes yet unpunished.

And yet that distinguished political divine rose here last week, Saturday, and says there is no such thing in Ohio as the Standard Oil Company.

Mr. HULL. I yield five minutes to the gentleman from Ohio, and if he needs more I will give him more.

Mr. GROSVENOR. If the gentleman from Tennessee would only always be careful to state the facts when he tries to say anything, he would so improve his general tendency toward the other members of the House that we would all be surprised at it. Now, I never said that there was not any such thing as the Standard Oil Company in Ohio.

Mr. GAINES. I knew the gentleman would deny it.

Mr. GROSVENOR. Why, everybody knows that I never said so.

Mr. GAINES. I think everybody knows that you did so; and if I am mistaken, I withdraw the statement.

Mr. GROSVENOR. I stated the other day, and I have not touched the notes of it, that the Standard Oil trust—we were discussing the question of trusts—had been driven out of Ohio by a judgment of the Republican supreme court, and that there was nothing left of it in Ohio except the Standard Oil Company, which I said was developing the oil sections of Ohio, and gave a full account—

Mr. GAINES. You used the words "Standard Oil Company" as I recall your language.

The CHAIRMAN. The gentleman from Tennessee will take his seat, and will not interrupt the gentleman from Ohio unless he gets his permission.

Mr. GROSVENOR. I do not yield.

Mr. GAINES. Mr. Chairman—

The CHAIRMAN. The gentleman from Tennessee will be in order.

Mr. GROSVENOR. There is a system of reports by the stenographers of this House. Gentlemen are not driven to contradict each other upon the floor of this House about what they have said. Every word that I said was taken down, which will show whether I am telling the truth or not. He can go to Mr. Cameron and get the report of every word that I said, and he can bring it in and confront me with it, and if I have changed an "i" or a "t" in the remarks I made he will have the advantage of me.

Now, let me repeat what I said. We were discussing the question of trusts, and a charge had been made by my colleague from Ohio that the Ohio officials were derelict in their duty in some of the districts of Ohio. I said then that the supreme court of Ohio had made an order dissolving the Standard Oil Trust in Ohio and had driven it out of the State, a length of time which I could not

then give quite exactly, and that there was no Standard Oil trust in Ohio, but there was a Standard Oil Company; and I went forward and described what they were doing in Ohio. Now, everybody who heard me knows that is exactly what I said.

Mr. GAINES. Mr. Chairman—

The CHAIRMAN. Does the gentleman yield to the gentleman from Tennessee?

Mr. GROSVENOR. No; I do not. I did not interrupt the gentleman. He always makes a statement, and never permits an interruption; and therefore I rose to take the floor, and do not want to be interrupted.

Mr. GAINES. I arose to interrupt the gentleman when he said he used the words "Standard Oil Company" and not "Standard Oil trust." You will never find, here or elsewhere, that I will mistreat a gentleman; and if I have misspoken your language I will correct it, but I suppose I was saying exactly what you said. Your speech has not been printed, and I had no means of refreshing my memory.

Mr. GROSVENOR. And with my absolute assurance that the gentleman will, I now withdraw it.

Mr. GAINES. I will not withdraw it until I see whether I am wrong or not.

Mr. GROSVENOR. I want to go a little further and call the gentleman's attention to this particular affair in New York, and we may as well, as we are making the record, get at the real facts of the case and see what there is on either side of this great ice trust, to which the gentleman has referred.

Mr. COX. I would like to ask the gentleman a question.

The CHAIRMAN. Does the gentleman from Ohio yield to the gentleman from Tennessee?

Mr. GROSVENOR. I suppose so.

Mr. SULZER. I rise to a question of order.

Mr. COX. What connection has the thing you are trying to talk about got to do with this bill?

Mr. GROSVENOR. This is the official statement published in a Democratic newspaper giving the stockholders in that concern.

Mr. COX. That is about as far away from this as a mule would be in a horse race.

Mr. GROSVENOR. I do not yield to that. The gentleman had better wait until to-morrow morning before proceeding. [Laughter.]

The CHAIRMAN. Does the gentleman decline to further yield?

Mr. GROSVENOR. I do.

Mr. COX. I want to make a reply to that remark, about waiting until to-morrow morning before proceeding.

Mr. GROSVENOR. I do not want to be broken up when I have something to say.

Mr. COX. You are mighty easily broken up when a man has got hold of you that has got some brains. [Laughter.]

Mr. GROSVENOR. I hold in my hand a statement of the list of stockholders in the ice trust in New York, what is stated to be an official list, published in the Journal, of New York, last evening, and republished in the New York Tribune this morning.

Mr. SULZER. Will the gentleman allow me to ask him a question?

Mr. GROSVENOR. I will.

Mr. SULZER. Mr. Chairman, I trust the gentleman from Ohio will put in the RECORD the list of stockholders of the so-called ice trust published in the New York papers this morning; and if he will print it in the RECORD and subsequently investigate it, he will find that seven-tenths of them are Republicans.

Mr. GROSVENOR. I am about to get to that very point.

Mr. COX. You will probably get there to-morrow morning. [Laughter.]

Mr. GROSVENOR. We will take the city officials first who are stockholders:

CITY OFFICIALS.

Robert A. Van Wyck, mayor.
J. Sergeant Cram, dock commissioner.
Charles F. Murphy, dock commissioner.
John Whalen, corporation counsel.
H. S. Kearny, commissioner public buildings, lighting, and supplies.
M. P. Breslen, chief engineer, dock department.
Randolph Guggenheim, president of council.
E. R. Carroll, chief clerk, general sessions.
George V. Brower, park commissioner of Brooklyn.

Up to this point I am told that I have not struck a single Republican.

JUDGES.

Martin T. McMahon, general sessions.
E. L. Fursman, supreme court—
I am told he is a Republican.
Rufus B. Cowing, general sessions—
I am told he is a Republican.
Henry A. Gildersleeve, supreme court.
George C. Barrett, supreme court.
George L. Ingraham, supreme court.
James Fitzgerald, supreme court.
Miles Beach, supreme court.

Joseph E. Newberger, general sessions.
Edward Patterson, supreme court.
Chester B. McLaughlin, supreme court—

I am told he is a Republican.

Then come Democratic leaders who are not holding official positions. I do not care much about them, but I will name them just for the poetry of the thing. Richard Croker, Augustus Van Wyck—I believe he is sort of a candidate for Vice-President just now, and was candidate for governor last year on the Democratic ticket.

Mr. DRIGGS. Do not forget that Augustus Van Wyck is a very rich man.

Mr. GROSVENOR. Yes; and John F. Carroll is another. I believe he just offered \$100,000 to somebody, but I may have got the wrong man, however.

DEMOCRATIC LEADERS.

Richard Croker.
Augustus Van Wyck.
Eugene D. Wood.
Thomas F. Gilroy.

John F. Carroll.
Hugh J. Grant.
Hugh McLaughlin.
Arthur Sewell, of Maine.

REPUBLICAN POLITICIANS.

F. H. Platt, son of Senator PLATT.
A. B. Boardman, partner of F. H. Platt.
Frank S. Black, ex-governor.
Alexander T. Mason, counsel for the trust.
W. E. CHANDLER, Senator for New Hampshire.

MISCELLANEOUS.

E. D. Croker.
Elizabeth Croker.
W. H. Gelshenan.
James A. Mahoney.
Thomas J. Meehan.
Edward Crowing.
Charles T. Barney.
Frank Tilford.
R. W. Poor.
Edward H. Barker.
Maurice Untermeyer.
Anna M. Devery.

J. E. Crimmins.
John D. Crimmins.
Henry R. Hoyt.
A. N. Brady.
J. E. McDonald.
James H. Breslin.
Ouncie D. Pryor.
Robert Dunlap.
Theodore W. Myers & Son.
Arthur H. Van Brunt.
J. B. Lounsberry, confidential clerk of Dock Commissioner Meyer.

At a late hour last night expert accountants who had been put to work on the list had not completed their estimates of the different holdings, but the following approximate of preferred stock at present held by several persons was given out, subject to slight revision:

	Shares.		Shares.
Mayor Van Wyck	2,750	Ex-Mayor Grant	1,400
Augustus Van Wyck	1,100	Kearny	400
John F. Carroll	2,450	Mahoney	250
Richard Croker	1,000	McDonald	750

Controller Coler has decided to take a hand in the crusade against the extortionate ice trust. He announced yesterday that he would hold up all payments by the city on contracts with the American Ice Company pending an investigation into the legality of those contracts, and would also examine carefully and speedily all the evidence that anyone could lay before him regarding the invalidity of the leases of city piers to the ice company, with a view to canceling those leases if his lawyers advised him that he had the power to do so under the charter.

Justice Gaynor denied the motion to set aside his own order for the examination of city officials accused of conspiracy with the ice trust to mulct the citizens. He decided that the investigation asked for by five members of the municipal assembly should be continued before him on Saturday. This looks as if the mayor would soon be forced to go on the witness stand and tell how he got his ice-trust stock.

The June grand jury was sworn in before Judge Martin T. McMahon yesterday. In his charge to the jurymen Judge McMahon made not the slightest reference to the exceedingly important allegation of conspiracy and malfeasance on the part of city officials and ice-trust extortioners, although several of the officers of the ice trust were held for the grand jury by Magistrate Zeller a few days ago on just such charges.

It shall not escape the minds of people that many of these people are officials of New York, and it is said they have made heavy contracts for ice with this very trust. This is a crime, as I understand it.

Mr. DRIGGS. I would like to ask unanimous consent that the gentleman from Ohio be permitted to print the names in the RECORD, because he finds it such hard work to read the Republican names as loud as he does the Democrats. [Laughter.]

Mr. GROSVENOR. I have read all of them, but I can not accept the Republicans quite as well as I can some of the Democrats. [Laughter.]

Mr. COCHRAN of Missouri. Will the gentleman allow me a question?

Mr. GROSVENOR. What is it?

Mr. COCHRAN of Missouri. I would like to inquire if the list of Democrats he has read does not include typical specimens of that kind of Democracy labeled Gold Democrats, who supported Mr. McKinley four years ago?

Mr. GROSVENOR. I can not tell you that. Richard Croker can hardly be called a Gold Democrat to-day, and I think you will find that they all will be swearing by the ticket that will be set up over there.

Mr. GAINES. I want to know—I could not hear very well from where I was standing—but I want to know if the gentleman read the name of George C. Barrett, a Republican?

Mr. GROSVENOR. I did.

Mr. GAINES. And Joseph E. Newberger and F. H. Platt and Ex-Governor Black—all leading Republicans, I am told by members of the House from New York.

Mr. GROSVENOR. I read every one of them.

Mr. HULL. A point of order, Mr. Chairman.

The CHAIRMAN. The gentleman from Iowa will state it.

Mr. HULL. My understanding was that I yielded the gentleman from Ohio five minutes, but I said if necessary I would yield him more. How much time has the gentleman from Ohio consumed?

The CHAIRMAN. The gentleman has already occupied thirteen minutes.

Mr. HULL. I will yield him ten minutes more if he needs it.

Mr. DRIGGS. I would like to ask the gentleman from Ohio if we are to assume that all the names he has read where he has not said "Democrat" they are Republicans?

Mr. GROSVENOR. No; some of the miscellaneous fellows, I suppose, are Republicans. [Laughter.]

Mr. KLUTZ. Do I understand the gentleman to say that all the persons, Democrats or Republicans, whose names he read are corrupt members of a corrupt trust?

Mr. GROSVENOR. No, sir; I have not said a word of the kind. I do not know what kind of a trust that is. It is a piece of cold infamy, according to the statements of the newspapers, but I do not know anything about it.

A MEMBER. It is a "cooling board."

Mr. GROSVENOR. Here is the point I want to get at: Here comes the mayor of the city of New York with 2,750 shares of that stock, and his brother with 1,100, both, I presume, dealing with this ice trust.

Mr. GAINES. General Alger got up and run the Diamond Match trust, which controlled nearly all the match manufactories in the United States and Canada, and the court dismissed the bill in that case because it was such a foul concern.

Mr. GROSVENOR. I do not know anything about that. I never knew General Alger to have one dollar of that stock.

Mr. GAINES. That is what that opinion said in 77 Michigan Report.

Mr. GROSVENOR. Ex-Mayor Grant is down as having 1,450 shares. On this point I want to be distinctly understood. I do not know that there is anything corrupt or bad in that ice trust. When a matter of this character goes into the courts I have learned enough as a lawyer to let the courts decide it. But I have spent all this time simply to let my friends on the other side of the House know that they are living under some very thin glass—

A MEMBER. With good Republican company.

Mr. GROSVENOR. And that it is unwise to be throwing stones at the few little spots that we may have.

Mr. GAINES. Did you say Standard Oil Company or Standard Oil Trust? If I am wrong, I want to be set right.

Mr. GROSVENOR. I repeat now for the third time. I said the oil trust had been driven out of Ohio.

Mr. GAINES. And here is what ex-Attorney-General Monnett, of Ohio, says in to-day's New York Journal:

If the majesty of the law is to be enforced against the street railway employee, why not against the trust criminals in St. Louis and Ohio, as well as in New York?

The Standard Oil trust has for eight years defied the supreme court of Ohio, and yet without punishment.

A Republican legislature in Ohio deliberately voted down every anti-trust resolution offered this winter at the dictation of the bosses at Washington and the trust magnates of New York, but the rank and file of that party are awaiting their noble efforts in your fight in New York City.

Mr. GROSVENOR. Should it ever happen in the course of events that Mr. Frank Monnett should die and be translated to heaven, my friend from Tennessee would be without support.

Mr. GAINES. I am satisfied that when General Monnett goes to heaven he will part company with the gentleman from Ohio forever.

Mr. CANNON. I ask the gentleman from Iowa [Mr. HULL] to assent that the committee now rise, my object being to ask unanimous consent which I have reason to believe will be granted, to nonconcur in the Senate amendments to the deficiency bill and send them to conference.

Mr. HULL. I would not want to assent to that request unless it is understood that there will be no objection to sending the bill to conference. If that is understood, I shall not object to the committee rising for that purpose.

The CHAIRMAN. Is there objection to the committee rising for the purpose stated, with the understanding that there shall be no objection—

Mr. UNDERWOOD. I object, for the present.

Mr. CANNON. I want to say to the gentleman that if there is to be a speedy adjournment this bill ought to go to conference. Of course the gentleman has the power to object.

The CHAIRMAN. Does the gentleman insist on his objection?

Mr. UNDERWOOD. I have objected; and I do not feel at liberty to withdraw the objection.

Mr. HULL. I yield five minutes to the gentleman from Iowa [Mr. LACEY].

Mr. LACEY. Mr. Chairman, I should like to have the attention of the committee a moment. Exercising the latitude of

general debate, I wish to call attention to the paragraph of the Alaska bill to which I attempted to make objection this morning. We disposed of a bill containing twelve hundred and more amendments without consideration, without explanation, and without the House knowing what it was doing as to any item. Now, I do not want to be placed in the attitude of making objections for the purpose merely of consuming time or for obstruction. I want to call the attention of the House to the point involved here, which I wished to have corrected, and then I am done.

This House, on a bill brought in by the Public Lands Committee, opened up the 60-foot reservation around the shores of Alaska to placer gold mining, and provided that it was to be opened under provisions to be fixed by miners' meetings. Under that provision the miners would have met and designated the size of the claims and the methods of working the mines. That bill went to the Senate, where it remains unconsidered. In the Alaska code bill a provision was inserted opening up this same territory, but in the form in which it came to the House from the conferees the effect, in my judgment—I may be wrong about this, but I think not—is that the amendment which we agreed to this morning gives to those men who located 20-acre placer claims at a time when this 60-foot strip was a reservation the absolute control to this reservation; and thus we pass into the hands of perhaps half a dozen men the exceedingly rich territory covered by this 60-foot strip in front of Cape Nome.

This strip and the tide lands are looked upon as the poor man's mines. If we validate the placer locations heretofore attempted on the 60-foot reservation, we will tie up this rich strip of land in the hands of a few locators who made their locations when the strip was not open.

Now, in the House, to prevent such a result, we inserted a provision in this language:

That nothing herein shall be construed as validating, invalidating, or otherwise affecting mineral locations heretofore made in the 60-foot roadway.

It is a debatable question whether the locations heretofore made were valid or not. The House provided that the question should not be settled by this bill, but should be left to the courts. By this amendment this morning we eliminated this provision, and in my judgment the legal effect will be to give the owners of the 20-acre claims the 60-foot strip along that entire shore. By the proceeding this morning I was put in the attitude of apparently attempting to obstruct a great bill without explanation. Nobody knew why I objected or what for, and opportunity to explain was denied. I have taken this time in general debate merely to place the matter before the House so that it may know the nature of the proposition, which I think was an erroneous one, and which led me to think that that report as to amendment No. 53 ought not to have been concurred in. Amendment No. 53 ought not to have been struck out.

At any rate I have done my duty in attempting to prevent the mistake that has been made. As to the remainder of the bill I see no objection to it, and believe that it will be of great value to Alaska.

Mr. HULL. I yield five minutes to the gentleman from Illinois [Mr. WARNER].

Mr. WARNER. Mr. Chairman, the amendment referred to by the gentleman from Iowa, in the opinion of the conferees, amounted to nothing. It was senseless in the connection where it was used; it gave no rights to anyone nor took any rights away from anyone. That has been the opinion of every lawyer on this floor to whom the amendment has been submitted. In order that the House may understand the question thoroughly I will read the amendment; it is short:

Provided further, That none of the provisions contained in this section shall be construed as vacating or in any way affecting the title of any men whose claims under existing law may have been legally located before the passage of this act on any of the lands or shoal water above the line of mean tide.

That provision does not do anything, does not help or hurt anybody. It is further provided that—

Nothing herein shall be construed as validating, invalidating, or otherwise affecting mineral locations heretofore made in the 60-foot roadway.

That is the whole of it. Taken together, it simply means nothing. It declares by its own terms that it has no effect, one way or another, in validating or invalidating any claim. We thought it senseless to leave in the bill that kind of a provision; and we eliminated it upon the suggestion of the conferees on the part of the Senate, leaving the section substantially as it came from the Senate. We believe that the wisdom of our action will be approved by every lawyer on this floor, with possibly one exception, when it is thoroughly considered and understood.

Mr. LACEY. Then I ask my friend why he so strenuously objected to having it understood, if it is a thing that is so easily explained?

Mr. WARNER. I will state why. We are in the last days of this session of Congress. There are six hundred and some odd pages of that bill. It must be engrossed and be ready for the

President's signature before the gavel falls finally on this session of this Congress. If we had given way for you to open up on this question, other matters would have been opened up, and this bill would have failed.

Mr. CLAYTON of Alabama. Why can we not stay here all summer and attend to the public business?

Mr. WARNER. Because some of us want to do something else.

Mr. CLAYTON of Alabama. We are elected to Congress to perform the public business.

Mr. WARNER. I am perfectly content, but the majority of this House have voted to adjourn to-morrow, and the Senate will probably concur in that resolution.

Mr. HULL. Mr. Chairman, I yield five minutes to the gentleman from Michigan [Mr. WM. ALDEN SMITH].

[Mr. WM. ALDEN SMITH addressed the committee. See Appendix.]

Mr. WM. ALDEN SMITH. I yield back the balance of my time to the gentleman from Iowa [Mr. HULL].

Mr. HULL. I will ask the gentleman from Virginia now to consume his time.

Mr. HAY. I yield to the gentleman from New York [Mr. SULZER].

Mr. SULZER. Mr. Chairman, the Senate amendments to this bill are very important and far-reaching. The House should not concur in all of them. In my judgment, when the debate on the proposition before the House closes, a motion should be made, and I trust will be made, to nonconcur in the Senate amendments, and they should be sent to conference. If it is contended that we are to adjourn to-morrow and that it is very important this bill pass, then I say let the Senate amendments be disagreed to, and let us pass the Military Academy appropriation bill without the Senate amendments.

Without expressing any opinion as to the merits of these Senate amendments now, I desire to say, for one, I shall vote in favor of sending this bill with these amendments to a conference, and I trust the conference committee will insist on most of these amendments going out.

Mr. Chairman, I do not know whether Congress is going to adjourn to-morrow or not. No one seems to know. In my judgment it ought not to adjourn until the Senate passes the antitrust bill which we sent over there the other day. If the gentlemen on that side of the House were sincere in their opposition to trusts, if they really wanted to do something against the trusts, they would not consent to an adjournment until the Senate took action on the antitrust bill we passed the other day. That would be the way, my friends, to demonstrate to the people of the country your sincerity in opposition to the trusts.

The Republicans will not fool anyone by getting up here and talking about the ice trust in New York, because, as I said hero the other night, and as I have said here to-day, over seven-tenths of all the stockholders in the so-called ice trust in New York City are Republicans, and most of them belong to the regular Republican organization. The family of the senior Senator from the State of New York is in this ice trust. The senior Senator from New Hampshire is in it. Many distinguished Republicans of New York are in it. And so all along the line from the top to the bottom, if you will look over the list of stockholders in the ice trust you will find that almost every one is a Republican.

Now, I want to say to the gentlemen on the other side, in all earnestness and sincerity, that the real difference between the Democratic party and the Republican party on the trust question is this: The Democrats are opposed to all trusts and are determined to enforce the laws against them. The Democratic party cares not whether the men in them, and who are getting rich out of them, are Democrats or Republicans. It is a great question of principle, not a mere question of personality. The Republican party is the friend, the creator, and the sponsor of and for the trusts, and refuses to enforce the law against them. It refuses to do anything to injure the trusts, and this is especially so if the trusts are controlled and conducted by Republicans. Nine-tenths of all the trusts organized and monopolizing the business in this country, and most of them have been organized since your Republican President has been in office—

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. HAY. I yield to the gentleman ten minutes more.

Mr. SULZER. I thank my colleague. Most of the trusts have been organized since Mr. McKinley has been President, and I want to say that nine-tenths of the officers of all the trusts in the country, and nine-tenths of the stockholders of all the trusts in the country are Republicans, or they are gold-bug Democrats, who voted for William McKinley in 1896, and will vote for him again in 1900. The Republican party can not deceive the people on the trust question. It is practically owned and controlled by the great trusts of the land and will do nothing against them.

The Democratic party is the relentless foe of trusts, and when it comes into power will destroy them forever.

Now, Mr. Chairman, if the Republicans are sincere about the trusts, if they want to demonstrate to the people of this country that they are in earnest against them, I say to them, stay here; do not adjourn; stay in session and compel the Republican Senators in the other branch of Congress to pass the antitrust bill we sent over to them the other day. You will not do it, and you know you will not do it. Congress will adjourn and the bill will be dead. You are trying to deceive and fool the people. The Republican record in regard to trusts will not down, and you can not hide it by talking about the ice trust. The Democratic party is against all trusts. That is our position.

Why, all the trusts of the country have their offices and their headquarters and carry on business in the State of New York, and your Republican attorney general in the State of New York and the Attorney-General of the United States absolutely refuse to prosecute one of these trusts. Enforce the law against them all. What rot to talk about the ice trust. That is not the only trust. If the law can be enforced against that trust, why, in the name of reason and common sense and consistency, can it not be enforced against all the other trusts? I challenge some Republican to get up and explain your inconsistency in regard to this question. The people who are exposing and fighting the ice trust in New York City are Democrats. I dare you Republicans to point to a single case prosecuted by your trust-controlled Federal Attorney-General.

Under the law of our country trusts are criminal, and there is no distinction between a so-called good trust and a so-called bad trust—between a big trust and a little trust. Every trust is contrary to both the spirit and the letter of the law. To seriously contend otherwise as a legal proposition would be preposterous. If we did so by analogy, we might as consistently assert that there were good pirates and bad pirates. If robbery is criminal, it is immaterial, so far as the crime is concerned, whether the robbery is a big one or a little one. The violation of law is the same.

The law on the statute books against trusts is clear and plain, and the highest court in the land has passed on its validity and sustained the constitutionality of its provisions. The antitrust act of 1890 declares that every contract or combination in the nature of a trust in restraint of trade and commerce among the several States and Territories or with foreign nations is a conspiracy—illegal and void—and punishable by fine and imprisonment.

Under this antitrust act every trust in the United States can be prosecuted for violation of law, the charter annulled, and the men behind it punished for conspiracy. Every trust by its very nature is in restraint of trade and commerce and in violation of this law.

If you will read the antitrust act of 1890 and the decisions of the United States Supreme Court in the trans-Missouri freight case and the Addyston pipe line case, the conclusion will be irresistible to the logical mind that the fault is not so much with the law as it is with the men who are sworn to enforce the law. The law so far as it goes is all right—the do-nothing Attorney-General is all wrong. The imperative mandate of the day is enforce the law, and every trust in the country will dissolve. Whenever the trusts have been brought before the courts and their true character shown, they have been declared illegal.

In my opinion, and I say so advisedly, the Department of Justice under the present law can institute and successfully maintain actions against every trust doing business in the United States. The law is clear and plain, and the facts are within the knowledge of all and too obvious for controversy. [Applause on the Democratic side.]

[Here the hammer fell.]

Mr. SULZER. Mr. Chairman, in connection with my remarks I wish to print some data in the RECORD under the rule regarding this subject.

Suits under the anti-trust act of 1890, and suits in which the act has been cited or considered by the courts, chronologically arranged.

(1) United States vs. Jellico Coal Company (43 F. R., 998; 46 F. R., 422). Suit under section 4 of act. Injunction issued. (Tennessee.)

(2) American Biscuit Company vs. Klotz (44 F. R., 721). Petition for receiver. (Louisiana.)

(3) United States vs. Greenhut (50 F. R., 460). Indictment under sections 1 and 2. Whisky trust. (Massachusetts.)

(4) In re Corning (51 F. R., 205). Indictment. Hearing on petition for removal. (Ohio.)

(5) In re Terrell (51 F. R., 213). Indictment. Petition for writ of habeas corpus. (New York.)

(6) Bishop vs. American Preserves Company (51 F. R., 272), suit under section 7 of the act. (Illinois.)

(7) In re Greene (52 F. R., 104), indictment. Note Judge Jackson's opinion. (Ohio.)

(8) United States vs. Nelson (52 F. R., 646), indictment. (Minnesota.)

(9) United States vs. Trans-Missouri Freight Association (53 F. R., 440; 58 F. R., 58; 100 U. S., 290), March, 1897. Note Judge Shiras's dissenting opinion in court of appeals decision and quoted with approval by Justice Peckham. (Kansas.)

(10) Bindell vs. Hagan (54 F. R., 40), suit under section 4 can be brought only by United States. (Louisiana.)

(11) United States vs. Workingmen's Council (54 F. R., 994; 57 F. R., 85); suit under section 4. (Louisiana.)

(12) Waterhouse vs. Comer (55 F. R., 149), rule 12 of the Brotherhood of Locomotive Engineers declared unlawful. (Georgia.)

(13) United States vs. Patterson (55 F. R., 606; 59 F. R., 280), note the epitome of brief, by Elmer Root. Indictment. (Massachusetts.)

(14) Dueber Company vs. Howard Company (55 F. R., 851; 66 F. R., 637), suit under section 7. Note opinion of Judge Wallace. (New York.)

(15) United States vs. Knight Company (60 F. R., 300; App. C, 934; 156 U. S., 1). In this suit the Government neglected to secure evidence of a restraint of interstate commerce, and consequently failed. Note in particular Justice Harlan's dissenting opinion. (Pennsylvania.)

(16) Farmers' L. & T. Co. vs. N. P. R. R. Co. (60 F. R., 803), note Judge Jenkins's comments on the act. (Wisconsin.)

(17) Thomas vs. Cincinnati Railway Company (62 F. R., 803), note Judge Taft's comments. (Ohio.)

(18) In re Grand Jury (62 F. R., 840), charge to grand jury by Judge Morrow. (California.)

(19) United States vs. Alger (62 F. R., 824), suit under section 4. (Indiana.)

(20) United States vs. Elliott (62 F. R., 801; 64 F. R., 27), suit under section 4. (Missouri.)

(21) United States vs. Debs (64 F. R., 210; 64 F. R., 724; 158 U. S., 564), in re Debs, suit under section 4 by direction of Attorney-General Olney. Note Judge Woods's opinion upon the scope of the anti-trust act. The Supreme Court decision was based upon "broader ground" than the anti-trust act. (Illinois.)

(22) Pidcock vs. Harrington et al. (64 F. R., 821), private suit under section 4 not authorized. (New York.)

(23) United States vs. Cassidy (67 F. R., 698), indictment. (California.)

(24) Lowenstein vs. Evans (69 F. R., 908), suit under section 7. (South Carolina.)

(25) Prescott, etc., vs. Atchison Railroad Company (73 F. R., 428), note Judge LaCombe's remarks on scope of act. (New York.)

(26) The Charles E. Wiswell case (74 F. R., 802; 86 F. R., 671). (New York.)

(27) United States vs. Joint Traffic Association (76 F. R., 895; 171 U. S., 505). The institution of this suit by Attorney-General Harmon was due to the persistent efforts of Hon. W. E. Chandler. See Senate Document No. 39, Fifty-fourth Congress. (New York.)

(28) Greer, Mills & Co. vs. Stoller et al. (77 F. R., 1, 1897).

(29) United States vs. Addyston Pipe and Steel Company (78 F. R., 712), circuit court of appeals, 85 F. R., 271; United States Supreme Court decision December 9, 1899. Suit under section 4. Note the remarkable decision by Judge Taft of the circuit court of appeals stating the common-law doctrine.

(30) United States vs. Anderson et al., June 7, 1897. Circuit court of Missouri, and certified up from the circuit court of appeals. Anderson et al. vs. United States (171 U. S., 604, 1898). Suit under section 4.

(31) United States vs. Hopkins (82 F. R., 529); Hopkins vs. United States Supreme Court decision (171 U. S., 578). Suit under section 4.

(32) Minnesota Tribune Company vs. Associated Press (83 F. R., 260, 1897). (See bottom of page 257.) (Minnesota.)

(33) United States vs. Coal Dealers' Association (85 F. R., 222). Suit under section 4. This suit was instituted by Attorney-General McKenna, and it is reported, only after great pressure. (California.)

(34) Gulf Coast and Santa Fe Railway Company vs. Miami Steamship Company (86 F. R., 407). Suit under section 4 by private person not authorized. (Texas.)

(35) Indiana Express Company vs. United States Express Company et al. (88 F. R., 659). Suit under section 4 by private person not authorized. (Indiana.)

(36) Sun Publishing Company vs. Associated Press. Suit under section 7 commenced December 8, 1897. Bill in equity filed at the same time. (New York.)

(37) United States vs. Officers of Knights of Labor, etc. (1898). Indictment. Demurrer overruled on authority of certain common-law decisions. (District of Columbia.)

(38) United States vs. Coal Companies. Fifteen coal companies indicted at Cincinnati, Ohio, February 11, 1898. (Ohio.)

(39) Lowry et al. vs. Tile, Grate, and Mantel Association of California. (F. R., February 20, 1900.) Suit under section 7. Demurrer overruled. (California.)

(40) Inter-Ocean Publishing Company vs. Associated Press. Before the circuit court of the State of Illinois. Judge Waterman in his opinion declared certain by-laws of the Associated Press to be in restraint of trade and violating the anti-trust act. See the decision of the supreme court of Illinois, published in the Inter-Ocean February 20, 1900, in which it was held that certain by-laws of the Associated Press were in restraint of trade. (Illinois.)

It appears that Attorney-General Miller instituted four suits under section 4 of the act; Attorneys-General Olney and Harmon commenced six suits, three of them being against workmen on the occasion of the Chicago strike, and one as the result of the persistent efforts of Senator CHANDLER (see Senate Document No. 39, Fifty-fourth Congress). As far as can be learned, Attorney-General McKenna directed two suits to be brought—United States vs. Anderson et al. and the case of United States vs. Coal Dealers' Association—and Attorney-General Griggs has not directed the institution of a single suit.

Six or seven suits have been commenced under section 7 of the act, and there have been indictments returned by at least ten separate grand juries. Laboring men have been indicted in at least five cases; coal companies in three cases; and a cash register combine was prosecuted in the district of Massachusetts.

It is a noteworthy fact that United States District Attorney MacFarlane testified before the Senate Committee on Interstate Commerce, December, 1896, regarding the difficulty he encountered in finding judges who were not disqualified for trying the case of the United States vs. The Joint Traffic Association. Of the eight Federal judges, circuit and district, in the jurisdiction where the suit was brought, only one, Judge Wheeler, was found qualified.

DEPARTMENT OF JUSTICE,
Washington, D. C., May 23, 1900

F. E. STEBBINS, Washington, D. C.

SIR: In the matter of the application of William K. Tubman, requesting me to institute proceedings under the act of July 2, 1890, commonly known as the anti-trust law, against the Eastern Railroad Association, having waited a reasonable time for Hon. J. M. Wilson to appear I must infer from his failure to appear that he does not care to add anything to the argument you have submitted, and I therefore proceed to dispose of the matter.

The complaint is that a large number of railroad companies have formed this association for the purpose of advising its members with respect to the purchase or use of railway patent rights and of assisting them in the defense of claims for the infringement of such patents. It is urged that patent rights are the subject of interstate commerce and that the association constitutes a combination in restraint of trade or commerce among the several States.

The same application has been twice made to the Department and twice denied, first by Acting Attorney-General Whitney, in a carefully considered communication under date of August 23, 1893, and afterwards by Attorney-General Olney, in his letter of December 11, 1893.

In addition to the considerations mentioned by them, the following are in point:

A patent right is essentially a monopoly. The patentee is granted the exclusive right, for a term of years, to make, use, or vend the patented article. This right is absolutely within his control. He may omit to use it himself and refuse to permit anybody else to use it. He may permit one person to use it and without assigning any reason refuse to permit another to do so. He may sell the right in parcels, giving one person license to use the patent in one place and another license to use it elsewhere.

Such being the nature of a patent right, may not the association complained of be considered as a reasonable and fair arrangement for the mutual benefit and protection of railroads in transactions relating to patents? Before a railroad company can safely purchase a patent right or use an invention, it must be assured that the patent is valid and its use will not operate as an infringement. So, too, if a claim for infringement is made, the company has a right before paying it to make a full investigation, and may do this individually or through others. In what way does it unlawfully interfere with the rights of the patentee for the railroads to create a board of experts which shall be furnished with all the information they have respecting patents, and to which shall be referred for investigation and report all questions relating to patents? A man who offers a patent for sale does not enter the open field of competition. If his patent is valid there can be no competition.

The patent is a monopoly which no person can lawfully infringe, and which he can refuse to sell at all or sell for what he pleases. There is no competition to fix a reasonable price for patent rights. The patentee may demand a thousand or a million dollars. It is worth what he can get for it. If it is infringed, he has his remedy in the courts. If he makes a claim for damages because of infringement he can not object to the person or corporation threatened seeking advice and information from any source before paying or resisting it.

Another thing to be considered is, that to provide the safest service and to secure the best results railroads must be built and equipped in a uniform manner throughout the United States. Passengers and employees are alike interested in this, and Congress has recognized the need by requiring automatic couplers and other safeguards on interstate railroads. For these reasons a patented appliance for use on railroads may be of general concern, in which event one railroad can not safely adopt it without consulting the others. This of itself makes the creation of an association with a board of experts, to which patents may be referred for investigation and report, of exceptional propriety and benefit.

The application must therefore be denied.

Respectfully,

JOHN W. GRIGGS, Attorney-General.

WASHINGTON, D. C., June 2, 1900.

Hon. WILLIAM SULZER,
House of Representatives.

MY DEAR SIR: In view of the discussion of proposed antitrust legislation now going on in the House, I beg leave to suggest to you three or four points that should be included in any legislation enacted upon this subject, as follows:

First. That the President of the United States is hereby authorized and directed to offer a reward of not less than ten thousand dollars (\$10,000) nor more than two hundred thousand dollars (\$200,000) to any person or persons who shall furnish evidence that will lead to the arrest or conviction of any person or persons guilty of a violation of the Federal antitrust law or of the interstate-commerce law, and whatever moneys are required for the execution of these statutes are hereby appropriated from any funds available in the Treasury of the United States not otherwise appropriated.

Second. That any individual, or combination of individuals, corporation, or combination of corporations, who shall be engaged in an effort to establish, or who shall have established, a partial or complete monopoly in the control of any line of business or industry in the United States shall be, and are hereby, prohibited the use of the United States mail.

Third. That any person, or combination of persons, corporation, or combination of corporations, who shall engage in destructive competition, upon conviction thereof shall be liable to a fine of not less than ten thousand dollars (\$10,000) for each offense, and imprisonment of not less than one year. The words "in destructive competition" in this act shall be construed to mean the offering for sale of any article or articles of commerce below the cost of production of manufacture for the purpose of destroying competition and establishing a monopoly.

Fourth. Inasmuch as equality of rates in transportation charges to all shippers is an absolute necessity for the securing of freedom of trade and commerce among the people of the United States and various States, and as the private monopoly of the public highways, such as railways, telephones, telegraphs, and pipe lines, inevitably lead to criminal discrimination in favor of those individuals or corporations which control great wealth and against the interest of the masses of the people, therefore, immediate steps shall be taken by the Government of the United States to secure the Government ownership and operation of all railways, telegraphs, telephones, and pipe lines.

Fifth. Upon the complaint of any citizen or citizens, the Attorney-General of the United States and all district attorneys of the United States are hereby directed to institute proceedings against any person or combination of persons, corporation or combination of corporations who are charged with a violation of the Federal statutes against the organization or operation of trusts.

Very truly yours,

H. B. MARTIN,
National Secretary, American Anti-Trust League.

WASHINGTON, D. C., June 2, 1900.

Hon. WILLIAM SULZER.

DEAR SIR: The control of the financial and political destinies of the American Republic by a mere handful of millionaires and trust magnates threatens to bring about in the near future the destruction of the Republic and the complete economic enslavement of all our people. The great mass of independent business men are being frozen out or destroyed by the evil power of the trusts, and compelled to take their places in the ranks of the wage-workers. The door of independent business opportunity for our young men is being barred by the great monopolies, who treat the millions of farmers and workingmen as mere machines to grind out gold for their coffers.

We are fast approaching a condition where we have a small handful of enormously wealthy plutocrats on the one hand, and a great mass of subject people on the other.

To avert these evils, to save the Republic, to secure to the individual citizen an opportunity to work and to follow the business of his choice, free from the danger of being crushed or enslaved by the great trusts, and to rescue the Government founded by Washington and Jefferson from the grasp of

the menacing power of monopolistic wealth, the American Anti-Trust League has been organized.

Its purpose is to embrace in one great united force of free citizens all those who care more for liberty than for lucre, and who would aid in guaranteeing to the present generation and to our posterity those inestimable blessings of freedom and equality for which the founders of the Republic shed their blood, and which it is our duty to hand down with unimpeded value to those who shall come after us.

To carry on the great work of awakening the conscience and arousing the patriotism of the true friends of liberty all over the United States, we appeal to you to join with us in the work of organizing antitrust leagues in every town and township in the nation. We are printing millions of documents for the education and organization of the people upon this question. Our present means are not sufficient to keep up with the demand for literature on the trust question. Will you aid us in this good work?

I am authorized by the national executive committee of the American Anti-Trust League to appeal to all friends of the cause to send in their contributions, whether great or small, to the literature and organizing fund of the league at the earliest possible moment. Make all checks, drafts, and money orders payable to the undersigned.

Very truly yours,

COTTER T. BRIDE,
National Treasurer American Anti-Trust League, Washington, D. C.

[New York World, March 23, 1900.]

GRIGGS SURRENDERS TO TRUST CONTROL—ATTORNEY-GENERAL DECLARES FEDERAL LAW POWERLESS TO PREVENT THE COMBINATIONS—STATES MAY HAVE THE POWER—NATIONAL GOVERNMENT, HOWEVER, CAN ONLY INTERFERE WHEN INTERSTATE COMMERCE IS INVOLVED.

PHILADELPHIA, March 22, 1900.

J. C. Bowdall, of this city, who recently wrote to Attorney-General Griggs asking for information regarding the attitude of that Cabinet official toward trusts and monopolies, has received the following reply:

"I have your letter of the 17th instant, and because it is evident that you are under serious misapprehensions as to the force and effect of the Federal law relating to trusts, called the Sherman act, passed in 1890, I deem it proper to call your attention to some aspects of this matter, which you are obviously ignorant of.

NO QUESTION OF CONSTITUTIONALITY.

"In the first place the constitutionality of this matter was not affirmed last fall, but was affirmed almost immediately after the passage of the act in the first case which arose, and has been regarded as settled, so far as the constitutionality is concerned, for many years.

"In the next place, the Sherman trust act does not give the Federal courts jurisdiction over any combination constituting a restraint and monopoly of trade, unless such trade is what is known as interstate or international trade and commerce. A combination or trust for the purpose of maintaining a monopoly in the manufacture of a necessity of life is not within the scope of the Sherman Act, and can not be suppressed by the Federal courts. This was decided in 1894 in the case of the United States against the combination of sugar companies.

"As a matter of fact all the companies which you refer to as now organizing for the purpose of securing complete or partial monopoly of different branches of manufacture are similar to the sugar combination and are not within the jurisdiction of the Federal courts. If amenable to any law they are amenable to the laws of the respective States.

DEPARTMENT'S POWER LIMITED.

"This Department never hesitates to prosecute unlawful combinations which affect interstate commerce, and if you will examine the reports of the Federal courts you will find very many cases of such prosecution, some effective and some ineffective.

"It is a popular error to assert that the Attorney-General of the United States has control of the corporations or combinations which engage in manufacture in the various States. This is entirely a matter of State control, and unless the functions of interstate commerce are interfered with I would be superfluous to attempt a crusade against affairs with which I have no business.

"With reference to these large combinations of capital which are now forming, my own judgment is that the danger is not so much to the community at large as it is to the people who are induced to put their money into the purchase of the stock."

"*SALUS POPULI EST SUPREMA LEX.*"—THE AMERICAN ANTI-TRUST LEAGUE.

OFFICE OF M. L. LOCKWOOD, NATIONAL PRESIDENT,

Zelienople, Pa., July 17, 1898.

An Address to the American People:

The object of the American Anti-Trust League is to drive from public place the subservient tools of the trusts, monopolies, combines, and corporations, and to establish the equal rights of American citizens in the commerce and industries of the country.

To-day, in every legislative hall, both State and National, omnipresent stands the lobbyist and corruptionist of this great railroad, monopoly, trust combination, which has formed an alliance offensive and defensive, by which they expect to control legislation and to plunder the producers and consumers of America.

And, what is still worse, there also stand the representatives elected by the people, who have become debauched, and who are the secret servants and instruments of this great corporate power, and are ever ready to do their bidding, while proclaiming their devotion to the rights of the people. We find them everywhere—in the legislature, in Congress, in the Senate, and on the bench. The political life of this kind of representative is made easy. Their renominations are arranged for them by the political bosses, who are but the servants of this power. Campaign funds are furnished. That part of the public press that can be managed is used to eulogize and lionize these subservient tools. Their elections are managed for them.

There also stands the representative elected by the people, who is true to the principles of manhood and is governed by the promptings of public welfare. He stands a bulwark against the legislative schemes by which this great railroad, monopoly, trust combination expects to plunder the people. He is obnoxious to this dominating and controlling power, and their emissaries are sent into his district to undermine and destroy him politically. Some popular man is encouraged to become a candidate for nomination to his place, and the power and influence and money of this corporate conspiracy are put behind this candidate, and the true servant of the people finds himself defeated for renomination, and he is retired from public life—retired because he was a true representative of the people and dared to defy this corporate monster. This process has been worked so silently and secretly that the people have not recognized the handiwork by which a majority in their legislative bodies have been controlled.

In many of our great cities the street-railway traction companies have

created a political despotism. The man who is ambitious politically, before he can hope to be nominated to any position of public trust must first kneel at the throne. Yes, and in many, many cases before a laborer can hope to earn bread for his family he has first to show that he wears the brand and collar of their ward boss. They have created a despotism so damnable that man must become a serf to this corrupt corporate power before he can obtain an opportunity to work. I have talked with these men who mourn the loss of their liberty as American freemen. This great railroad, monopoly, trust, traction combination is "corrupting our public affairs and debauching our public men" and destroying the foundations of the Republic by the corrupt use of money in our political life.

The purpose of the American Anti-Trust League is to arouse the only power on earth that is stronger than the power of money in our public life. That power is the patriotic impulse of the people. The little finger of that power, when awakened, is stronger, ten thousand times, than the influence of all the billions of trusts and combines of the land. The memories of the many sacrifices of the fathers call us to action. If these trust combinations are allowed to go on they can plunder each of us into poverty. No man knows how soon the fear of hunger for his wife and family will make of him a coward. It behooves us to strike while the fire of liberty yet burns.

The American Anti-Trust League is nonpartisan. We call all American freemen to council. If a Democrat or a Populist or a Republican public man has shown himself to be a subservient tool of this great corporate power, then all the united power of all the men of the American Anti-Trust League will be used to crush him and drive him from public life. We will adopt the tactics of our enemy until we have created a legislative, judicial, and executive power in sympathy with the public welfare. And we call upon every American citizen who loves his country and the great principles of popular government better than he does his party to join us in the work of reestablishing the equal rights of American citizenship.

M. L. LOCKWOOD,
President Anti-Trust League.

TRUSTS, AND THEIR EFFECT UPON COMMERCIAL TRAVELERS.

[Address of P. E. Dowd, president of the Commercial Travelers' National League, delivered before the Industrial Commission, Washington, D. C., June 16, 1898.]

GENTLEMEN: I feel especially honored that you should have selected me to address you as a representative of the 350,000 commercial travelers of the United States concerning the effects, direct and indirect, of trusts upon them as a class, their influence upon the affairs of travelers as the media for years between the buyers and manufacturers, jobbers, and importers, and from the standpoint of individuals. Among themselves they are not hesitating, as a rule, to discuss freely the burning question of the day, "trusts," and their menace to the business methods in vogue for many years.

Even those fortunate enough to retain positions (often at reduced salary) in the service of syndicates do not hesitate in safe company to condemn trusts as dangerous to personal privileges, and a barrier to individual investment in the line of choice and experience. Every commercial traveler hopes to attain the goal of the ambitious and progressive business man, as an equitable return for years of hard work, under trying conditions, a business of his own or in connection with others.

It would be difficult for a stranger to obtain information from the travelers in the employ of trusts, but to me they all talk freely, and I can positively state that commercial travelers generally are opposed to trusts as dangerous and demoralizing, as presenting the most "knotty" social and the worst financial proposition that has ever been before the American people. They consider that the next national campaign will be fought upon this issue; anticipating that previous political affiliations will be ignored, all other issues treated as of secondary importance, and a "landslide" for the party standing squarely and consistently upon an anti-trust, anti-monopoly platform.

I quote the language of one of the brainliest commercial travelers of whom I know—a man whom the Administration was asked to honor—one who won unusual glory for bravery in the civil war and who has shown his fearlessness in stating his position in regard to trusts. Being asked the question, "What is your opinion concerning trusts and combinations?" he answered:

"They are detrimental to our interests (and all commercial travelers agree to this). The combination of interests upon a square basis and legitimate capitalization is not the only evil; it is the falsehood of inflation, the issuing of stock far beyond the needs for ever conducting a trust. That is the cankerworm gnawing at the vitals of commercial integrity; that is the greatest curse, to say nothing of the speculative craze created and the uncertain feeling prevailing in business circles. If it shall continue (the organization of trusts), there will be many traveling men dispensed with for a while, at least, until such time as legislation shall prevent and the demands of the people require a halt to be called. There is no justification in an action the effect of which is to drive out of business the middleman and the ordinary merchant or manufacturer."

Commercial travelers have built up, or assisted to this result, many a concern which, without their labors, would have gone to the wall. They have made money for their employers—of that there can be no question; yet several of these houses, which have become powerful factors in their particular lines, were sold out to speculative shysters, out for the "pound of flesh," and capitalized at many times intrinsic value, in connection with other properties secured in the same manner—the line of production cornered, further competition paralyzed, prices usually advanced, dictatorial methods adopted, and many travelers thrown out of employment and obliged to seek other channels for livelihood, with the avenues in the lines where knowledge, experience, and acquaintance should count the most closed against them.

The promoters of trusts, syndicates, monopolies, or combinations, as a rule, spring from Wall street, or are close to its shadows. The existing speculative mania creates inflation bubbles, which ultimately will either break from overinflation, or will disappear at the touch of the people.

The organizers of trusts, animated only by selfishness, forgetting Americanism, ignoring all sentiments of patriotism, shutting their eyes to the constitutional foundation stone, the bulwark for the safety of our institutions—"equal rights for all"—daring the enforcement of laws, which the people believed would be adequate, but which now appear to be ineffectual; conspire to victimize the public by floating trust certificates at unhealthy figures— inflation prices which mean in time a complete collapse.

Commercial travelers, with their hard-headed business sense, would bend to the inevitable should they be driven out of occupation by fair competition, for no class better appreciates the significance of the "survival of the fittest;" but to be thrown out of work, to be forced to the wall by a species of speculative conspiracy and the centralization of capital, disrobing the oft-made avowals by the capitalists that capital and labor are not antagonistic, and affecting the occupation of thousands previously employed in unusually intelligent labor, fails, as a fact, to set well upon their digestive apparatus.

The argument in favor of trusts, and advanced by those directly interested, or by their henchmen, that the intention is generally to reduce prices and the consumer to receive benefit, I will attempt to show as fallacious, from evidence of those who have an accurate conception of the true situation—the

commercial travelers. I quote the sentiments of one very able traveler, "Trusts are conceived in infamy, born of greed, and cradled in the lap of dishonesty."

Commercial travelers are against trusts, both from self-interest, naturally to be expected under the conditions as an outgrowth of combinations, and because of the principles involved, the injustice to the people, the menace to Democracy, the semblance to plutocracy, and the rottenness of the whole movement.

The following resolution, placed in my hands, expresses the sentiments of traveling men generally:

"Resolved, That we deplore the organization of trusts, the illegitimate combination of capital, the curtailment of individual possibilities, as a menace to the prerogatives of the people and a disarrangement of the established methods of business, affecting especially the employment of commercial travelers.

"Resolved, That we condemn, as un-American, combination or syndicating of incorporated or individual business concerns, for the purpose of controlling products, and in restraint of trade and competition.

As a matter of expediency, the resolutions offered at the convention of the delegates of the Travelers' Protective Association, held in Louisville recently, in condemnation of trusts, were laid upon the table, four or five men contending that, being employed by trusts, it would prejudice them with their employers to attend the convention of an insurance association admitting proprietors and buyers as well as travelers (and a nonpolitical body) should it pass resolutions against trusts. The gentlemen admitted that personally they disapproved of trusts, and it was plainly apparent that the gathering represented an anti-trust sentiment. They fully appreciated the fact that none could guess where lightning might strike next. The employed forgot their unemployed brethren in craft and association, the question of expediency was presented, and the resolutions were tabled.

I have heard from several thousand commercial travelers, many replying to a circular letter, issued by the Commercial Travelers' National League, asking a number of questions, and the universal opinion is that as a rule trusts have advanced wholesale prices, in many instances fixing the retail prices; that thousands of travelers have been dispensed with, and thousands have been reduced in salary, some being retained in house positions as matters of policy, in some cases at former pay, but usually at greatly reduced emoluments. As July 1 and January 1 are the usual dates for term contracts with travelers, July 1 will find several thousand more commercial salesmen out of positions.

The traveling men believe that in a few years most of the trusts will have been broken, but that it will be impossible to completely shake off the grasp of some monopolies upon the throats of the people.

My correspondents state that the buyers generally do not like the trusts, and would prefer to buy from outsiders, conditions being equal.

The census of 1890 shows less than 60,000 commercial travelers in the United States. The census is incorrect. Probably many commercial salesmen are included under the head of clerks and salesmen. I will not attempt to analyze for reasons, but will try to show why the figures are wrong; and speaking of statistics, I will ventilate my belief that census figures can be discovered as playing some queer tricks, for many glaring inconsistencies will develop upon research; the following, for instance, clipped from a newspaper annual and based upon the 1890 census:

"Statistics of manufacturers in the United States, census of 1890.—Number of manufacturing establishments reporting, 322,638. Officers, firm members, and clerks, 426,090; or one firm member or a president of a stock company and one-third of a bookkeeper to each concern."

The above statement as to the number of manufacturing concerns is in reality a modification of the full number reported to the Census Bureau, and is modified for comparison with previous reports. Part I, Manufacturing Industries, Census of 1890, page 8, shows 355,415 manufacturing and mechanical industries reporting. To these figures add the number of wholesale merchants, importing and commission houses, and including the wholesale dealers in wines and liquors (as given by 1890 census), 31,086; a grand total of 386,501 manufacturing and wholesale concerns.

It is easy to conceive that there are 100,000 manufacturers, jobbers, importers, manufacturers' agents, etc., employing 300,000 commercial travelers in the aggregate, and to this number we could add as travelers for business the buyers of farm products, insurance agents and adjusters, special auditors in various lines, etc., and our estimate of 350,000 traveling men is found to be a safe and conservative approximation. There were and yet are many houses employing not less than 50 salesmen; some employing more than 20; a large number 25; and several thousand having between 6 and 20.

The Commercial Travelers' Mutual Accident Association of America, with headquarters in Utica, N. Y., admits to membership commercial travelers exclusively, and has more than 20,000 members. The officers of that organization have calculated that one out of every fifteen of the commercial travelers of the United States is a member of it.

The last census shows only 9,532 commercial travelers for New York city, hardly one-third of the actual number.

The census of 1890 gives as the number of commercial travelers in the United States 28,158, and in 1870, 7,202. For that year the hotel keepers numbered 26,394, and in 1890, 32,453.

The commercial trade is considered as the most desirable by hotel men generally, the majority of hotels catering to the transient guest. In 1870, however, there were apparently four hotel keepers to each traveling man, and in 1890 the hotel keepers still outnumbered the travelers, according to the census exhibit.

From figures supplied me by commercial men I submit the following: That more than 35,000 salesmen have been thrown out of work through the organization of trusts and about 25,000 reduced in salary, some being retained at a big cut in compensation in house positions; others as traveling agents—60,000 salesmen directly affected by trusts.

The estimate by that conservative newspaper, the Springfield (Mass.) Republican, that ultimately two-thirds of the commercial travelers will be thrown out of occupation if the organization of trusts continue *ad libitum*, and more than 50 per cent if the combinations now projected are completed, is entirely reasonable.

I will now consider the effect of 35,000 commercial men out of work and 25,000 at two-thirds their previous salaries, assuming that 12,500 of the 25,000 still act as travelers. One hundred and fourteen millions of dollars represent the annual expenditures cut off by the direct influence of trusts, as follows: \$60,000,000 loss in salaries; \$27,000,000 for railroad tickets, sleeping cars, and excess baggage—an amount equal to the entire surplus earnings of all the railroads of the country for 1898. The loss to hotels can be safely estimated at \$25,000,000.

Should one-half of all the commercial travelers be dispensed with, \$180,000,000 would hardly cover the salary lost annually; over seventy-five millions would be the loss to railroads, and the same amount for hotels.

The dividends of all the railroads of the United States for 1898 were about seven and a half millions more than the figures mentioned as the estimated loss to railroads should one-half the traveling men be dispensed with. The commercial travelers would gradually drift, however, into other pursuits, and although their earning capacity would be greatly diminished, still they

would manage to support their families after a fashion, and as disbursing media might represent an annual expenditure in the aggregate of between ninety and one hundred millions; but the loss to hotels and railroads would be the figures as given. Every hamlet throughout the land would feel the effect of the loss of revenue to hotels; many hotels would become bankrupt, and general distress follow the discontinuance of one-half the commercial travelers as ambassadors of trade.

The history of this country gives examples of poor boys who became great men, beginning at the splitting of rails, tanning hides, driving canal horses, etc., and we all personally know of some illustrations of self-made men; we have listened to the stories of father and grandfathers, telling the younger generation of early struggles, and many instances have been cited where a few hundred or a few thousand dollars started them upon a career to fame and fortune. Trusts have come, however, as a curse for this generation, and a barrier to individual enterprise.

What will be the prospects for our children? God Almighty alone knows. He who notes the sparrow's fall will remove the dark shadow which the greed of unscrupulous speculators has cast upon the fairest land under the canopy of heaven.

The people cry out for redress; they demand relief from the accursed thing that stalks within their midst falsely garbed as industrial scientific economy. The people demand that lawmakers do their full duty; that they forget self-interests and act as the representatives of the people solely; create State and national laws that will constrain the organization of trusts as conspiracies and treat the organizers as criminals. Officials should consistently perform the obligations of office in enforcing the laws already created to meet the exigencies of the situation, and not permit themselves to swerve from duty by the influences often brought into action.

Legitimate corporations should receive ample protection, but the combinations in restraint of trade and free and healthy competition should be considered as illegitimate and as antagonistic to our institutions of freedom and equal rights. To the question, "Have not the capitalists or speculators, if you please, equal privileges with other citizens of this country?" I would reply, emphatically, yes, providing they comply with the laws made for the safety and protection of all the people.

I will cite a few examples of advances in the price of trust goods: Iron pipe, over 100 per cent; tinware and enameled ware, about 33 per cent; brass goods, 60 per cent; chair trust, just formed will advance prices 30 per cent; rubber overshoe, United States Rubber Company advanced prices 14 per cent on May 1; American Tin Plate Company advanced prices something like 30 per cent; newspaper, 1 to 1 cent a pound—a further advance in prospect; book paper, 5 to 10 per cent; an advance is expected in writing paper; in common soap, 25 to 50 cents a box.* Flint-glass bottles will be advanced 10 per cent or more; jobbers and manufacturers of clocks have advanced the wholesale prices, on account of the advance of metals, 60 per cent; all metal goods have been advanced; brass pins, 25 per cent; pipes and brushes, 12½ per cent; combs, 7½ per cent; ribbons, 10 per cent; school furniture has gone up, as well as paper bags and wrapping paper. The window-glass trust, organized May 29, with \$50,000,000 capitalization, will advance prices 100 per cent or more.

The umbrella trust failed four years ago. It advanced prices while in existence, and after its break-up the return to legitimate and healthy prices caused a loss to the retailer through the stock on hand.

There have been advances in many other lines. The object of trust promoters and organizers is to make as much money as possible through stock manipulation, and to show industrials as attractive investment securities at no matter what cost, and without consideration of the distress which increased prices cause consumers of limited income. So advanced prices are in order or in prospect in the trust lines.

As trust capitalization represents much over 50 per cent water, it is necessary to advance prices to show a profit upon the fictitious values.

The exceptions cited of reduced figures to the consumer for sugar, coffee, and kerosene oil require but few comments from me. The fight between the Havemeyers and the Woolson Spice Company upon one side and the Arbuckles upon the other, and the result upon the price of refined sugar and coffee is too well known for me to discuss. The spectacle of a trust trying to drive out a monopoly by the retaliation of sharp competition, and ultimately selling at less than cost in seeking to attain its object, is one of the peculiar situations engendered through the speculative mania that is epidemic. The sugar trust paid in 1893, 21 per cent, and from 1894 to 1899, 12 per cent in annual dividends upon common stock and 7 per cent annually upon preferred stock, in spite of the low prices so much commented upon by the advocates of trusts.

Beet sugar pays a gross profit of \$6 a ton, the beets costing \$4 and the sugar selling for \$10 a ton.

Regarding kerosene oil, the by-products in the refining of petroleum are the most valuable, and render enormous profits to the Standard Oil Company, as you know kerosene is an unavoidable constituent in coal oil distillation, and with a limited market, owing to the increase in electric lighting, the cheapening of gas, etc., it is sold at the best price possible to market the product. Improved processes of manufacture and the method of handling and transporting have assisted in reducing its cost.

I will note a few examples of the way in which the commercial travelers have been treated through trade combinations. National Enameling and Stamping Company, which depends for its raw material upon the American Tin Plate Company, "has thrown a great many out of employment, and those retained have had their salaries reduced." The great tobacco combines throw out about 3,000 salesmen; the Continental Tobacco Company telegraphed the discharge of 350 in one day; the baking powder trust has dispensed with all excepting half a dozen men.† I know of two salesmen discharged by the trust who were formerly in the employ of the Cleveland Baking Powder Company, one receiving a salary of \$5,000 a year, the other \$4,500. Their routes, with those of other discharged salesmen, are covered by one agent at \$15 a week. The bicycle trust will throw out 600 salesmen gradually and will cut down agencies in every city. The chair trust will affect immediately more than 500 salesmen by cutting them out of the line.

One man writes: "The Union Bag and Paper Company has thrown out of employment hundreds of salesmen." Another writing of the same trust states: "I lost a good position; they (U. B. & P. Co.) would like to kill all outside manufacturers, and are trying to do so by sharp competition."

The number of salesmen out of work because of the United States Rubber Company are 300; the salesmen retained have been reduced to a salary averaging, so I am informed, \$1,300 a year. The American Tin Plate Company cut off about 90 out of every 100 salesmen. American Steel and Rod Company, I have been told, discharged 300 commercial travelers in one day.

In giving these estimates I am not considering the office force thrown out through trusts. I was not invited to speak in their behalf, but I will call

* Advance of soap prices due to the corner in tallow.

† Information regarding the baking powder trust was furnished by one of the commercial travelers, discharged after the combination, who said, "All go but six." He has explained since my appearance before the Industrial Commission that he meant all would go but six. On June 17 I learned that out of 140 salesmen employed by the houses absorbed in the combine 96 had been discharged, and many more would be dispensed with.

P. E. D.

your attention to the fact that the American Tobacco Company discharged its office help in St. Louis at the time of removing the headquarters to New York. I know of two head clerks in different establishments who were discharged by concerns absorbed by the trusts after nearly twenty-five years' service, and hundreds of like instances can be discovered upon investigation. Sugar and coffee monopolies have thrown out 1,000 salesmen; average reduction in salary of those retained, \$1,000 a year, 25 per cent only of the old force being retained in house positions. The Standard Oil Company employs fewer salesmen than any other concern in the mercantile world of one-half its capital and profits. It has reduced the salaries of the salesmen in its employ, with only a very few exceptions, to less than the income of the average mechanician.

The leather trust has affected nearly 25 per cent of the salesmen. The electric carriage trust has compelled several men to seek work elsewhere. The thread trust has dispensed with a number of men; is getting rid of the remaining travelers by degrees, paying reduced salaries, and dropping hints that it would be advisable for the salesmen to seek other occupations. Type founders' trust has affected 40 men. And so on up and down the list; the examples mentioned will serve as illustrations of the whole.

One comment more and I will close. I find that the banks are refusing to grant loans upon trust certificates as collateral, with only a very few exceptions, showing a lack of confidence in the stability of speculative prices and doubts as to the integrity of trust stocks.

I will now try to answer such questions as within my power.

P. E. DOWE'S STATEMENT.

[Telegraphed by special request to Chicago Tribune, June 25, 1899.]

NEW YORK.

Editor of the Tribune:

I pursued four methods for collecting data: Mailed circulars asking questions; asked assistance of the press of the United States, a card being largely published requesting that information be sent me; had agents who interviewed travelers and reported to me; last, but not least important, for many months have been holding conferences with travelers in nearly every city I visited, from Maine to Texas, from Colorado to Michigan. Figures for unemployed and those reduced were based on the collective statement of nearly 6,000 travelers. New information is reaching me each day. I will use it at Chicago in September during the conference of the Civic Federation.

The consensus of opinion is that trusts, watered as are their stocks, aggregating more than a billion dollars capitalization, greater than the total capital of the manufacturing and mechanical industries of the country, are detrimental and demoralizing. Combinations cornering specific commodities reduce the cost of production in a degree by lessening the executive force, dispensing with many salesmen, or reducing emoluments, preventing exercise of individual qualifications of salesmen retained, but doing away with a large proportion of selling and office forces.

The worst menace to commercial integrity is the wildcat speculation craze, the inflated prices for trust stocks, unstable as bubbles, and as sure to break in time. The un-American, unjust, and unhealthy outcome of trusts; their driving out by unfair means the small competitors or weaker opponents, killing individual enterprise, and sapping the ambition and vitality of citizens of comparatively limited capital, the men once overflowing with American vim, can not be too strongly condemned. Trusts probably will go to pieces in time of their own unyieldiness, and when there are no more suckers to land by speculative industrial stocks, then may occur the blackest Friday the country has known. It may be two years or it may be less when the climax is reached. It will depend, to a considerable extent, on who is elected next President of the United States. In nearly every line controlled by combination the prices have been advanced. Any reporter can find this to be a fact by interviewing buyers for jobbers and retailers.

Trusts are organized for stock-jobbing purposes. Scientific economy is only a term to blind people and catch buyers for stocks. Commercial travelers will be discharged until the final slump in trust stocks. Ultimately many will return to their fields with new connections and under safer conditions, when commerce shall have recovered from the epidemic of trade combinations. There will be suffering meanwhile by the first victims of the situation, the commercial travelers; later there will be another class of victims, the people who put money in trust stocks, laboring under the delusion that all industrial stocks would pay as well as the sugar and Standard Oil certificates.

Thirty-five thousand traveling men dispensed with, 25,000 reduced in salaries, means \$90,000,000 salary loss, \$27,000,000 loss to railroads, same to hotels. There are 300,000 commercial travelers per se in the country and several thousand traveling buyers, insurance men, etc. One-half doubtless will be dispensed with before the people halt the trusts or they wreck themselves.

A summary of the views of commercial men shows they admit reduced cost of production, acknowledge advances in nearly all trust lines of from 5 to 100 per cent and concede the degradation of labor. They deplore the power of trust magnates and the dubious situation of workmen, cite instances of permanently closed establishments, and dilate on the misery to be entailed on the poor, if, for decreased demand or any other reason, plants are shut down. They say intelligent labor is injured, progressive enterprise by individuals prevented, the middlemen given black eyes, the people's prerogatives affected, and the constitutional privileges curtailed, and do not know how soon notices may reach them that their services are no longer desired.

In spite of the assertion by Havemeyer that the day of the individual has passed, I am disposed to think otherwise, and anticipate that later on Mr. Havemeyer and those who agree with him will fully realize their misconception of American characteristics.

P. E. DOWE,
President Commercial Travelers' National League.

THE TRUST QUESTION DISCUSSED—DOWE VS. LORILLARD—LORILLARD'S STATEMENT.

[New York Herald, July 12, 1899.]

To the Editor of the Herald:

The consolidation of rival manufacturing firms into large companies, wrongly called trusts, has been caused by the severe competition of the last few years, which has rendered manufacturing unprofitable, has effected a reduction in wages, and led to the employment of an army of drummers and advertising agents, and the payment of enormous sums to country newspapers per annum by advertising rival factories.

It is estimated that 350,000 commercial travelers have been thrown out of employment on account of these consolidations, whose average expenses of \$10 each per day amounts to the sum of \$1,000,000 per day, or \$300,000,000 per annum. Besides this saving, there are thousands of country newspapers which live on these advertisements. Of course, this army of drummers, advertising agents, and country papers will attack the so-called trusts, but they can never be reinstated by legislation or otherwise the old state of affairs.

The revolution in methods of conducting business has arrived from natural causes. There is no retreat. The enormous savings have enabled corporations to increase the wages of labor about 25 per cent, and will give a fair return on capital and reduce prices to consumers.

How honest labor can oppose what is so evident to its interest I can not understand. No real labor is dispensed with. The now useless army of drummers and advertising agents must look to other means of support. They can not live longer by their wits, but must join the active labor of the country or become politicians and try to excite the honest laborers to oppose the only thing that could ever make them independent.

The saving and industrious will invest their savings in the stocks of the companies for which they labor, and in time become their own masters. Which condition is the nearest to cooperative working—the great ultimatum of all writers on labor.

If these companies are overcapitalized the market price of their stocks will soon fall to a price on which dividends can be earned. This is the only and best solution of the labor question—every workman his own employer. Capital and labor are one, and neither can allow the sharper, politician, or useless member of society to put it in an antagonistic position. It is estimated that in one hundred years the stocks of all industrial corporations will be owned by the workers in them. This new condition of business has reduced the cost of manufacture so that America now exports millions of her manufactures, all of which comes in the end to labor in some form or other, while a few years ago the exports were only grain.

PIERRE LORILLARD.

NEW YORK, July 11, 1890.

DOWE'S REPLY TO LORILLARD.

[New York Herald, July 16.]

To the Editor of the Herald:

Although reluctant to rush into newspaper controversy, I have allowed myself to be persuaded by friends to reply to Mr. Pierre Lorillard's letter in defense of trusts, which appeared in the Herald on July 12.

I am inclined to the opinion that Mr. Lorillard has not given sufficient thought, from an unbiased point of view, to the leading subject of the day—"Trusts and their effects." Surfeited by indulgence, surrounded with every luxury, this gentleman can hardly appreciate the hardships of the poor, the intense love for home, and the constant self-denial of the bread-winners; nor can he understand the real bitterness of poverty. One who is so well fixed financially is hardly capable of being a judge of what is best for the poor man.

The man who has, say, \$15,000,000, and wants \$30,000,000, aiming by all means to secure the coveted amount, and who urges in the name of honest labor, under the guise of pretended benefits to workers through organization of trusts, the system by which he may quickly attain increased fortune, will naturally be regarded with suspicion, and the people will not be inclined to place faith in his assumed good samaritanism.

As an evidence of the superficiality of the gentleman's knowledge of the effects of trusts upon commercial travelers I quote his statement: "It is estimated that 350,000 commercial travelers have been thrown out of employment on account of these conciliations," and he goes on to figure the saving to trade combinations at \$10 per day per capita, claiming the amount saved at \$900,000 a year, besides which thousands of papers have had the advertising "upon which they live" cut off by the trade combines.

There are not over 350,000 traveling men in the United States, inclusive of insurance men, traveling buyers, auditors, etc.; not more than 300,000 traveling salesmen.

Mr. Lorillard exclusively estimates that 350,000 have already been thrown out of work. I obtained, after much labor and considerable expense, figures showing 35,000 as having been discharged by trusts or means taken to force their resignations. The highest estimate by those studying the situation does not exceed 50,000 as having lost employment.

He has the effrontry to advertise his wares through the medium of the aforesaid letter, intimating that the saving and industrious would invest in these stocks, and offers the tempting proposition that in one hundred years the stocks of all industrial corporations would be owned by the workers in them. Great things for the future generations, but limited chances for those outside the ring for the present! I wonder if the breed of Berkshire hogs will have changed their animal nature one hundred years hence?

Mr. Lorillard further says:

"If these companies are overcapitalized, the market price for their stocks will fall to a price on which dividends can be earned." Yes, Mr. Lorillard, the trust stocks will drop; in fact, the bottom will drop out, without investors in so-called industrial stocks the trusts will fall apart. In the meantime, the gambler in stocks will scientifically and philanthropically rake in the widows' and orphans' money and the capital of small investors generally.

Oh, what a farce to pretend that trade combinations are for the benefit of the people! The farmer who pays advanced prices for wire fence, nails, pipe, window glass, etc., and the housekeeper who pays more for home necessities; the traveling men dispensed with to enable the trusts to earn sufficient to pay big salaries to officials and permit a dividend or two upon watered stocks; and others being mulcted in the name of trade combinations—all will smile sarcastically when Pierre Lorillard tells them that trusts are good things.

Had I the time to spare from my regular occupation and the ability to handle the subject, I would like to show in a series of articles that the wages paid labor by the trusts have not been generally or materially advanced, that there has been much talk of prospective advances and very few instances in reality, despite the assertion of Mr. Lorillard that the enormous savings (on travelers and advertising) have enabled corporations to increase the wages of labor about 25 per cent.

I would demonstrate by incontrovertible evidence that the prices of nearly all trust goods have been advanced, in some instances 100 per cent. It is notable that those journals owned or influenced by the trusts omit this fact from their editorials upon trusts and their effects.

I would show also that hotels and hotel help, liverymen, railroad and railroad employees will suffer with the weeding out of commercial travelers, and every hamlet throughout the United States will feel the effects of the passing of the drummer.

I would discuss the growing socialistic sentiment among people of more than average intelligence, and would advise capitalists and lawmakers to place their ears close to the ground and take warning at the rumbling; to note the people's voice arising in mighty volume. I have heard it, North and South, West and East, and I think I know its meaning.

I would try in my humble way to show that the arguments in comparing the advent of improved machinery with the present commercial situation to be fallacious. In some instances so glaringly inconsistent as to indicate that "none are so blind as those that will not see," and the attempt of the blind to lead the blind; that the second most important commercial body, the commercial travelers, has been condemned to oblivion by trust magnates in the first steps demonstrating an approach to plutocracy and the degradation of labor, the blow aimed at individual enterprise and American vim, and the gradual processes to make this country a financial dependency of Great Britain, I could discuss with burning pen.

We want no British alliance; we want no English standards. If Anglo-Americans will but move to the land of fog and hogs they "never will be missed;" likewise the plutocrat and would-be aristocrat, who, in imitation of English commercial methods, combine capital to grab all in sight and degrade labor to the extent of brute endurance.

America has been good enough for the common people, and will be; individualism is not dead, Havemeyer to the contrary notwithstanding.

How the people have been fooled time and again! And the statement that the mother of trusts is the tariff was issued to put the people upon a false scent—to fool them once more. Free-trade England has more trusts and for a greater capitalization than any other country upon the globe.

The cause of trusts, or rather their progenitor, must be looked for elsewhere, and a study of monetary science may furnish the key.

There is much I would like to do to assist in benefiting my fellow man. I want it said of me when placed under the sod that the world is at least no worse off for my having lived in it. Can that be said of the millionaires who misdirect their wealth to degrade and cheat the people?

P. E. DOWE,
President Commercial Travelers' National League.

COMMERCIAL TRAVELERS MEAN TO MEASURE STRENGTH WITH TRUSTS—THEY HAVE PLANS NEARLY MATURATED FOR STARTING A BIG COOPERATIVE COMPANY—KNIGHTS OF THE GRIP WILL ALSO TRY TO MAKE THEIR INFLUENCE FELT AT THE POLLS.

[From New York Commercial, August 11, 1890.]

NEW YORK, July 15, 1890.

Commercial travelers are slowly but surely marshaling their forces for a test of strength with "trusts." They claim that they have been the chief sufferers by the consolidation of large business interests that has been going on lately and in self-protection they are compelled to fight.

This fight, according to P. E. Dowe, president of the Commercial Travelers' National League, will be made at the polls and in business, and notwithstanding the great resources of the "trusts," the traveling men are hopeful of victory.

President Dowe, in discussing the whole question of trusts yesterday, said:

"The record of trusts shows that previous to 1895 nearly 600 were projected, and to include commodities from nursing bottles to coffins. Several of these projected trade combinations failed to materialize; some disintegrated; but the craze for unhealthy overcapitalization was not as radical a mania as with the later crop of trust promoters—an epidemic of speculation in so-called industrial stocks of the wild-cat, much-inflated variety having come to curse this country during the last three years especially, and is still with us."

"The progression from corners to pools, from pools to trusts and to speculative trade combines, falsely termed by their organizers and friendly sympathizers 'industrial economies,' was a gradual metamorphosis; combination and recombination taking place; wheels within wheels; so-called systematizing going on; the absorption of plants; the buying out or crushing out of competitors, and step by step the designs to control specific products were scientifically applied by Napoleons of finance and shrewd manipulators."

"The list of syndicates has constantly changed. Before one could prepare a list he would find it necessary to begin over again; the titles of the great combines were altered to suit exigencies, and so the processes of centralization for speculative purposes were continued until to-day there are trusts in existence with aggregate capitalization, as shown by journals devoted to economics, of about \$8,000,000,000, exceeding the total value of all the manufacturing and mechanical industries of the United States as given in the census of 1890, by nearly \$2,000,000,000.

"This capitalization of \$8,000,000,000 has a legitimate basis of between two and two and one-half billions (actual valuation), and an estimated cost to the trusts aggregated of \$3,000,000,000—a 4 to 1 valuation ratio for stockjobbing operations."

"The amount of commissions paid promoters for organizing trusts, and the sums paid lawyers for their services in aiming to evade the so-called anti-trust laws, and the amount assumed to have been expended through legislative lobbies, I will not attempt to even approximate. No man of average intelligence doubts for an instant but that legislation is secured or prevented by the illegitimate use of money."

"The profits accruing to the projectors of trusts, while legal, perhaps, in a technical sense, are in violation of justice and reason, and contrary to the natural law of business procedure. This profit is surely not from trust business, nor from the public, but exacted before the trust begins business, before the dear victims begin to nibble at the bait."

"Anti-trust laws are passed to appease the populace, but usually are found to exhibit evidences of 'fine Italian hands,' and to be inadequate to cope with the situation. Between the looseness of the average anti-trust law and the reluctance of the officials whose duty it is to see the enforcement of them, because of indefinite provisions, or for political or personal reasons, nothing is done."

"The trust organizers and officers issue statement after statement to the effect that the public will obtain the advantage through the reduced cost of production by centralizing processes, and lowered prices would be the rule. In plain language these statements are unvarnished lies, and no class is in better position to proclaim this fact than commercial travelers."

"That nearly all commodities controlled by trusts have been advanced from 5 to 100 per cent can be demonstrated by incontrovertible evidence. Where commodities are more absolutely controlled by trusts advanced prices not only prevail, but in some instances inferior goods are forced upon the buyers. Improvement, progression, individual ambition, inventive genius, single enterprise, and American vim are conspired against by the trust magnates; and the degradation of labor and a marked line of class differentiation radically drawn between the rich and poor, and especially aimed to affect the middle classes, is greatly desired by the plutocrats."

"Commercial travelers are dispensed with, it is claimed, to entail expenses, as a means for reducing the cost of production for the public's sake; but outraged justice hangs her head in shame at the dishonest practice of promoters in taking of the capital stock 15, 20, 25, or 35 per cent as their emolument for floating trusts. Economy is not exerted in the line of official salaries, for enormous pay is the rule with the trust officers."

"A few instances are to be recorded of the trusts advancing the labor wage scale, but it is also to be placed upon record that more promises of advanced wages have been made than instances of increased pay in actuality. The trust officials are fearful that the workman will appreciate the situation, and to appease him they offer either the promise of greater pay or a slight advance in reality."

"Labor, however, is fully alive to the conditions, and it is anticipated that decreased demand will close many factories operated by the trusts; workmen understand perfectly the risk to them of specific commodities being controlled by centralized power."

"It can not be claimed of me in making these statements that I am of the political demagogue stripe, for I have to-day no political aspirations. I am a business man and a student of political economy; nothing more, nothing less."

"Until all competition is dead and all lines are controlled absolutely, commercial travelers will be necessary constituents in the make-up of the commercial fabric; but the organization of trusts has made inroads in the ranks, and in thousands of instances has reduced the emoluments of commercial travelers.

"Capital and labor should not be antagonistic, and the capitalist and workman would not conflict under normal conditions, but under strained and unnatural circumstances a clashing of interests prevails. The grasping avariciousness of the capitalist or the business man, who, from inclination or bad advice, applies the screws to labor, will stir resentment in the workman. Commercial men in their travels have preached the doctrine of unity between capital and labor, and have striven to harmonize conflicting interests. They are remarkable for devotion to duty and faithfulness in all matters pertaining to the welfare of their employers; but the advent of trusts has affected them especially as a class, throwing thousands out of work.

"If trusts were what their promoters claim, and born of necessity as an outgrowth of strained and unprofitable business conditions, commercial travelers would gracefully make the best of the situation, but being practical men of business they fully appreciate the fact that trusts are but unnatural and unhealthy excrescences upon the body commercial. They are discussing the subject all over the country. Perhaps 6,000,000 men are told each day by the traveling salesmen that trusts, in their opinion, are detrimental and demoralizing. No class can more ably and effectively assist in turning the search light of public sentiment upon these illegitimate trade combines to demonstrate the artificiality of stock-jobbing manipulations of so-called 'industrial' certificates.

"The history of panics shows that the greater the inflation the more radical the advance of speculative prices, the more absolute the collapse. The major portion of trust capitalization is no more substantial than gas, and when the crisis comes nothing remains but the dilapidated wreck.

"Antitrust organization is now under way that will have greater influence in molding political issues in the coming elections than is generally dreamed of; but more about this later on.

"Consistent retaliation of another kind is being considered. We have under discussion the organization of an Independent Manufacturing and Trading Company, with a capital of \$5,000,000, to be increased when necessary. It will import those commodities that it will pay best to import, manufacture where it will pay good returns and raw materials can be obtained: act as jobbing distributors for several lines, and serve in the capacity of manufacturers' agents in other branches of trade. There will be no watered stock, no speculative manipulations, but a legitimate project grounded upon the strictest business principles.

"We are awaiting the interest of a few business men with capital to start the 'ball rolling,' when every commercial traveler with \$100 can invest, if he so desires, in one of the grandest cooperative business projects of the day; but, of course, explicit details are suppressed for obvious reasons."

A PARTIAL LIST OF COMMODITIES ADVANCED IN PRICE.

During the last week of August, the American Antitrust League had representatives call upon 500 manufacturers and dealers in New York City, to obtain information as to advances in prices, both of trust goods and of the commodities higher in price owing to the increased cost of materials used in production (directly or indirectly affected by trusts).

The agents turned in reports made in writing at the time of each interview, and many of them signed by the party given the information.

No commodity was discovered as having been decreased in price. The following is the list in alphabetical order:

Agate ware or enameled ware	50 p. ct.
Almonds	3c. a lb.
Angles, iron	100 p. ct.
Builders' hardware, since June	45 p. ct.
Beds, iron	35 to 65 p. ct.
Beds, brass	50 to 65 p. ct.
Buttons, bone and ivory	10 to 20 p. ct.
Buttons, metal	20 p. ct.
Brass castings, within two months	34 p. ct.
Barbed wire	87 ¹ / ₂ p. ct.
Beams, iron	87 ¹ / ₂ p. ct.
Beef	30 p. ct.
Beef tongue, smoked	25 p. ct.
Beef, corned and boiled	2c. a lb.
Bolts	100 to 150 p. ct.
Building papers, within two months	15 p. ct.
Bags and trunks, on account of advance of stock	40 to 50c. a doz.
Brooms, within six months	10 p. ct.
Brushes, whitewash	30 p. ct.
Bright wire goods	50 p. ct.
Belting, rubber, within year	33 ¹ / ₃ p. ct.
Brass wire	75 to 80 p. ct.
Corned beef (delicatessen)	3c. a lb.
Canned goods, general advance	15 p. ct.
Canned salmon	15 p. ct.
Canned lobster	15 p. ct.
Copper wire	100 p. ct.
Copper and brass hollow ware	about 40 p. ct.
Copper, since August 31, 1898	50 p. ct.
Crackers	1 to 1 ¹ / ₂ c. a case.
Condensed milk, Magnolia brand	2ic. a case.
Cotton linings	12 ¹ / ₂ to 15 p. ct.
Cement, Rosendale	15 p. ct.
Carpets	16 to 20 p. ct.
Combs, rubber	about 25 p. ct.
Chains	2c. a lb.
Chairs, ordinary	25 to 33 ¹ / ₃ p. ct.
Chairs, wood seat	33 ¹ / ₃ p. ct.
Envelopes.—Notice out for a further advance; previous prices canceled; new quotations not given; advance to date	40 p. ct.
Extension tables	fully 20 p. ct.
Edge tools	5 to 15 p. ct.
Flannels	10 p. ct. or more.
Files	25 p. ct.
Felt roofing	20 to 33 ¹ / ₃ p. ct.
Gloves (gents')	15 to 20 p. ct.
Galvanized ware	about 40 p. ct.
Glassware	20 p. ct.
Glass, window, double, since May	50 p. ct.
Glass, window, single, since May	40 p. ct.
Glass, plate	35 p. ct.
Hats, felt	7 ¹ / ₂ to 10 p. ct.
Hats, wool	7 ¹ / ₂ to 12 ¹ / ₂ p. ct.
Ham (delicatessen)	3c. a lb.
Hardware, since June	45 p. ct.
Iron, wrought	100 p. ct.
Iron (for horseshoes)	about 40 p. ct.
Iron sash weights, within two weeks	33 ¹ / ₃ p. ct.
Iron pipe, wrought, nearly doubled, recent advances aggregate	62 ¹ / ₂ p. ct.
Iron, galvanized (last advance June 11), advance	62 ¹ / ₂ p. ct.
Iron, structural	8 ¹ / ₂ to 100 p. ct.
Iron beams	87 ¹ / ₂ p. ct.
Iron angles	100 p. ct.
Iron beds	35 to 65 p. ct.
Iron, pig, foundry, since August 31, 1898	100 p. ct.
Iron, pig, Bessemer, since August 31, 1898	125 p. ct.
Iron, pig, charcoal, since August 31, 1898. Chicago	100 p. ct.
Iron, old material	75 to 100 p. ct.
Iron bar, refined	80 p. ct.
Iron tank plates	125 to 130 p. ct.
Knit underwear	7 to 10 p. ct.
Knit wool	\$1 to \$1.50 a doz.
Linings, cotton	12 ¹ / ₂ to 15 p. ct.
Linseed oil, within three weeks	21 p. ct.
Lead	14 p. ct.
Lumber (except oak)	20 to 25 p. ct.
Lumber, oak	33 ¹ / ₃ p. ct.
Linoleum, domestic	12 ¹ / ₂ to 20 p. ct.
Lead pencils, cheap grades	10 to 15 p. ct.
Lanterns, June 1, advance	25 p. ct.
Muslins	about 5 p. ct.
Medicines, patent	5 p. ct.
Notions, advance in general throughout the line, averaging	5 p. ett.
Nails, cut, within twelve months	115 p. ct.
Furniture, July adv., average	25 p. el.
Flour, within three weeks	30c. a bb.
Nails, wire, within twelve months	62 p. ct.
Pails, wood	50 p. ct.
Pulley blocks, wood	10 p. ct.
Photo paper (prepared), nearly	110 p. ct.
Plumber's supplies	30 to 60 p. ct.
Piano supplies	10 to 33 ¹ / ₃ p. ct.
Pins	over 25 p. ct.
Poultry netting	about 25 p. ct.
Paper, book and writing. Notice of further advance compelling independent envelope makers to withdraw quotations. Advance to date	20 p. ct.
Rubber goods—everything in rubber greatly advanced.	
Rubber belting, within year	33 ¹ / ₃ p. ct.
Refrigerators (ordinary), advanced	\$1 to \$1.25 each
Ribbons	5 to 10 p. ct.
Ranges	20 to 33 ¹ / ₃ p. ct.
Rope, since January	33 p. ct.
Specter	20 p. ct.
Shoes, advances owing to the hide and leather trusts, in all grades	10 to 20 p. ct.
Shoes, Bay State, for workmen, advanced	15c. a pair.
Shoes, cheap grades, advanced	20 to 50c. a pair.
Soaps, common	25c. a box.
Spool cotton	from 8 to 25 p. ct.
Spool cotton, Willington American Thread Company, 1 ¹ /2c. a dozen, or 8 p. ct., and an agreement to forfeit a semianual bonus of 10 p. ct., if prices are cut.	
Silk, sewing	about 20 p. ct.
Steel (for horseshoes), within two years over	100 p. ct.
Salt, coarse, for the grocery trade	10 to 15 p. ct.
Salt, fine, for the grocery trade	10 p. ct.
Price to outsiders \$1.10, old price 90c. bbl. Special prices for the salt clique.	
Spring beds	30 to 50 p. ct.
Steel billets, within one year	over 130 p. ct.
Sash cord	about 10 p. ct.
Stoves	25 to 33 ¹ / ₃ p. ct.
Another advance expected.	
Shovels	100 p. ct.
Screws	about 50 p. ct.
Scoops	over 50 p. ct.
Snow shovels	nearly 145 p. ct.
Solder	50 p. ct.
Steel bars	110 p. ct.
Steel billets	130 p. ct.
Structural iron	90 to 100 p. ct.
Sheet iron	52 to 62 ¹ / ₂ p. ct.
Turpentine, recent advance	62 ¹ / ₂ p. ct.
Type, recent advance	5 p. ct.
Trunks, on account of advance of stock	10 p. ct.
Tea, advance to consumer, 15 to 25 cents a pound, owing to war tax of 10 cents a pound; wholesale advance, 10 to 15 cents a pound.	
Tobacco—American Tobacco Company in competition will often furnish 6-pound packages of tobacco at the price of 5.	
Tin plate, within year 6 ¹ / ₂ per cent; total advance about	75 p. ct.
Tinware	from 20 to 500 p. ct.
Tubs, wood	50 p. ct.
Tin, nearly doubled within year	95 to 100 p. ct.
Tank plates	125 to 130 p. ct.
Varnish	15 p. ct.
Wooden ware, average	23 ¹ / ₂ p. ct.
Woolens (tailors')	20 to 25 p. ct.
Wall paper, cheap grades	50 to 80 p. ct.
Wall paper, high grades	25 p. ct.
Whisky	10 to 25 c. a gallon.
Wine, California. It is claimed that Crocker interests have cornered grape crops for seven years.	
Wheels, for baby carriages, rubber-tired	25 p. ct.
Wood handles	20 p. ct.
Wrought iron	over 100 p. ct.
Wire rod	100 p. ct.
Wire goods (bright)	50 p. ct.

Personally appeared before me, Percy E. Dowd, who states, being duly sworn, that he is the chairman of the committee of statistics of the American Anti-Trust League, and that the foregoing list of articles and advances of the prices of the same is a correct compilation of written reports of duly authorized agents of the said American Anti-Trust League, of which fact he fully attests.

PERCY E. DOWD.

FREDERICK THEALL,
Notary Public, Orange County, State of New York.

ADDRESS TO THE AMERICAN PEOPLE.

[Adopted by the Anti-Trust Conference, Chicago, February 12, 1900.]

The National Anti-Trust Conference, composed of members from thirty-one States, one Territory, and the District of Columbia, assembled at Chicago on the 12th, 13th, and 14th of February, 1900, earnestly urges all citizens who oppose the industrial combinations commonly known as trusts to organize at once to deprive those combinations of their power.

We make no assault upon business combinations for diminishing productive cost or augmenting productive efficiency. The more easily wealth is produced, and the more there is, the better for everybody—provided distribution be equitable. What we do attack is combinations for coercing producers and lessening production. It is such combinations that constitute the trust evil, and then we would abolish root and branch.

When oppressive trusts are examined, they are found to be combinations not for augmenting wealth, but for hampering its production; not for making good things plentiful and cheap, but for making them scarce and dear. The strength of the trust does not lie in a more perfect organization of producers and productive facilities for greater usefulness. It lies in a more intense concentration of monopoly privileges. In some instances these privileges are owned by the trust itself. In some they result from conditions produced by public policy. In others they are farmed out in more or less secret ways by the principal beneficiaries to subsidiary trusts.

Chiefly by means of railway discrimination and exclusive pipe line service, the Standard Oil trust has acquired such undisputed control of American oil that it can lower the price to producers and raise the charge to consumers at will, and so enable itself to declare quarterly dividends on millions of watered stock at a percentage rate beyond all the bounds of legitimate profit. To this oil trust monopoly-engendered laws have committed the regulation of the people's needs and rights in our department of industry. Their needs and rights in another have been by similar laws committed to the beef trust. This trust also derives its far-reaching powers, which extend over cattle raisers on one hand and meat consumers on the other, chiefly from discriminations in railway rates and terminal facilities. From the same prolific source of special privileges comes the grain elevator trust, which lowers the price of grain to the farmer while increasing the cost of bread to the mechanic. Railway discriminations, buttressed by a coal tariff and monopoly of mineral lands, are responsible also for the anthracite-coal trust, which already exists, and for the bituminous-coal trust, which is rapidly forming, whereby the miner who would trade coal for food must submit to extortion or starve, and the farmer who would trade food for coal must submit to extortion or freeze.

Even the sugar trust derives no small portion of its despotic power, both in business and politics, from discriminating railway rates. This trust, moreover, like the coal trust, is a beneficiary of tariff favors. So is the paper trust. Secured by the tariff against Canadian competition in raw materials and controlling the American sources of supply, the paper trust has been able, by mere arbitrary decree, without alteration in the cost of production, to raise the price of print paper to an extent which involves the loss of many millions of dollars to the press of the country. Then there is the majestic steel trust. Through patents and tariff indulgences and railway discriminations and the monopolization of some of the richest mines which bountiful nature has bestowed with impartial hand upon mankind, that trust sweeps the area of other great departments of industry and proclaims itself monarch of all it surveys. And as a culmination to this aggregation of gigantic trusts an unscrupulous Congressional lobby now threatens to set up an all-embracing banking trust. This lobby demands that the Government wholly surrender to private corporations its sovereign function of issuing money, in so far as that function affects paper money. If that were done, a banking trust would result which would regulate the volume of paper money and dictate commercial discounts in the interests of all the great trusts, and to which bankers in general would sustain a similar relationship to that which grocers already bear to the oil trust and to the sugar trust.

The trend of this trust-making process is unmistakable. If it continues, a few great trusts governed by a few unscrupulous men will direct the course of American industries and be the masters, politically as well as industrially, of the American people. Without themselves producing, they will determine the character and extent of production by others and will measure out compensation by their own arbitrary will. And no power known to the law will then be strong enough to shake them off. Even revolution would be hopeless, for in this Republic of theoretical equality, when once the single source of power shall have been secured, the despotism of the trusts will advance, as it is even now advancing, "in the name and with the might of the people."

The fundamental remedy for the trust evil is the abolition of legalized privileges of every kind. By legalized privileges we mean powers derived from the law, which some persons or classes enjoy to the exclusion of others, and which, therefore, create private monopolies. We must get back to the fundamental principle of the Declaration of Independence, the principle that all men are entitled to equal rights under the law. There must be no further legalized discrimination; and such as now exists, whether by virtue of laws legalizing public policy or of those directly creating privileges, must be abrogated.

To this conclusion the members of the National Anti-Trust Conference have come. But they are not unmindful of the difficulties that would be unnecessarily invited were they to specify all the legalized privileges that ought to be abolished. Differences of opinion, not only as to the real character of many of these privileges, but also as to the wisest methods of abolishing such as were admitted to be within the scope of the indictment, might prevent that widest unanimity of purpose and action among those of like mind upon the issue in the abstract which is necessary in organizing for an attack upon so formidable a foe as the American trusts. For that reason this conference recommends three legalized privileges as objects for the initial attack: First, the privilege created by tariffs for the protection of goods controlled by trusts; second, the privilege created by surrendering the money-issuing function to private corporations; and, third, the privilege created by telegraph and railway franchises.

The first of these recommendations can raise between free traders and protectionists no political issue. Since free traders advocate the abolition of all tariffs, or at any rate of all protective tariffs, they can not consistently object to the abolition of some protective tariffs; and as the object of protectionists is to promote American industries, they must consistently resent the misuse that is made of protection by trusts to crush American industries.

We declare that the problem of trusts is inextricably interwoven with the money question. We see to day the effort made systematically, and it would seem with fair prospects of success, to turn over to the banks the control of the circulating medium of the country. But the banks in their turn are controlled by those giants of finance termed "trust magnates." These potentates hold and control blocks of bank stock. They sit upon boards of directors. They are in position to extend or to deny credit, to ease or to tighten the money market, to make prices of securities rise and fall, and to enrich or to ruin men engaged in great enterprises. As trust magnates they compel their banks to refuse assistance to competing concerns; as bankers they finance the trusts in which they are interested. Since this alliance amounts to a community of interests between the trusts and the great

banks, it is clearly inexpedient that the control of the volume of the circulating medium of the nation shall be delivered over to the corporations.

As to the monopolies created by telegraph and railway franchises, it is obvious that these must be abolished if any step whatever be taken in the direction of destroying legalized privileges.

The telegraph is a natural adjunct of the post-office. In most other countries it has long been managed as a part of that public service, to the great advantage of the people. Left in private hands, as it has been here, it has operated to the manifest detriment of the public. Through its discriminations a gigantic press censorship is maintained, inventions calculated to promote the use of electricity in the distribution of intelligence have been suppressed, oppressive purposes of the railroad combinations have been subserved, and a powerful corporate agency for the corrupt manipulation of law-making bodies has been maintained.

The privileges created by railway franchises are complex in their ramifications, and when concentrated in private hands are incalculably potent. So concentrated, they have enabled a favored few to monopolize most of the resources of this richly endowed land, and by creating a distinct privileged class have served to disturb the equality of American citizenship. Through discriminations in rates and terminal facilities they have furnished the basis of nearly every great commercial trust with which the people to-day are cursed. The coal trust is vitalized by railway privileges; the oil trust could not have acquired its power without them; the beef trust and the grain-elevator trust depend upon them; they make the steel trust flourish; and from express combinations down to newspaper agencies, from back rights at depots to freight discriminations, a host of minor trusts suck in all the vitality they have as monopolies from railway privileges. Those privileges must be abolished. But they can not be abolished by restrictive laws. No less important an official than Chairman Knapp, of the Interstate Commerce Commission, testifying before the Industrial Commission, has sworn that notwithstanding the restrictive and penal clauses of the interstate commerce law railway discrimination is universal. In the nature of things it must be so. Railroad monopoly can no more be regulated by restrictive law than railway engines can be held in check with cotton twine. The only possible method of abolishing railway privileges is the abolition of private ownership of railways.

Believing that these recommendations for initial action against trusts offer the line of least resistance, in the right direction, for the union of the largest number of persons sincerely opposed to trusts, we invite the cooperation of our fellow-citizens in this movement for the preservation of our country from trust control.

PLATFORM ADOPTED BY THE NATIONAL ANTI-TRUST CONFERENCE AT CHICAGO, FEBRUARY 14, 1900.

Whereas in the opinion of the National Anti-Trust Conference, assembled at Chicago February 12, 13, and 14, 1900, the fundamental remedy for the evils of those combinations known as trusts, which consist of corporations and natural persons controlling legalized special privileges, is the abolition of those privileges and the establishment of equal rights; and

Whereas the legalized privilege of telegraph monopoly, the legalized privilege of protection against foreign competition with American goods controlled by trusts, the legalized privilege of monopolizing the issue of paper money, and the legalized privileges incident to the private ownership of railways are potent factors in creating and maintaining trusts; therefore, be it resolved—

1. That Congress take immediate steps, under the power of eminent domain or otherwise, as may be deemed the more expedient (but in any event by paying the just value, irrespective of watered stock and other fictitious values, of any property taken or condemned), to establish the telegraph and telephone systems of the United States as adjuncts of the Post-Office Department and subject to its operation.

2. That Congress defeat all measures that have been or may be proposed, and repeal all that now have the sanction of law, whereby private corporations may acquire control of the volume of the circulating medium and create a banking trust.

3. That the tariff shall no longer be employed to foster and buttress trusts, but that Congress shall place on the free list all articles the sale of which in the United States is controlled by a trust.

4. That Congress take immediate steps, by exercise of the power of eminent domain or otherwise, as may be deemed the more expedient (but in any event by paying the just value, irrespective of watered stock and other fictitious values, of any property taken or condemned), to take, own, and operate under a merit system of civil service the interstate rail highways now owned and operated by private persons or railroad corporations.

And whereas the political power of the trusts lies in their frequent representation in and control of the houses of legislation, we recommend the adoption of the system known as direct legislation; to make government once more, as of right it ought to be, and as it was conceived alike by Thomas Jefferson and Abraham Lincoln, a government of the people, for the people, and by the people.

The conference, by a unanimous vote, indorsed the American Anti-Trust League as the best plan for organization of the antitrust forces of the nation.

For information as to literature and plans of organization of the league, address the American Anti-Trust League, 1229 Pennsylvania avenue, Washington, D. C. Send all contributions to the fund of the league to C. T. Bride, national treasurer, 1229 Pennsylvania avenue, Washington, D. C.

M. L. LOCKWOOD,
National President.

H. B. MARTIN,
National Secretary pro tempore.

THE BANK TRUST—THE NEWEST AND GREATEST—TO OVERLORD ALL OTHER TRUSTS.

[Alfred Henry Lewis's editorial in *The Verdict*, August 7, 1899.]

HERE BE TRUE NEWS.—This is a grave story. It is one of even near concern to small and great. Let it come unshod of simile, unbuked of imagery or rhetoric, unclouded of any mists of metaphor. In Wall street as this is read the giant trust of all is forming. It is to collect within itself the banks of New York City. Its core is to be Standard Oil. Its moving spirits are John Rockefeller and Pierpont Morgan. With them in full and close association are the Rothschilds and their American agents. It was to link the Rothschilds to the scheme that of late took Morgan Europeward and brought him back again. This trust, at its consummation, which is close, will pull the reins of guidance and crack the whip of domination over two billions of dollars. It will, as stated, be a master of the New York City banks. They are to be made into one force—united and brought under one word and one command. Thereafter they are to say "No" together or "Yes" together, or together stand motionless and muta. This trust of the banks is to be the dictator trust: to overlord all other trusts. The greatest among these latter will be dwarfed as they stand beside it. We, the people, are to become the subjects of bank conquest and suffer the feudalism of

money. This bank trust is to be our William of Normandy. New York City is to be its Hastings without a blow. It will have, as it were, a Doomsday book, and the country is to be parcelled among its followers.

This is a true tale. There is neither guess nor fancy in its telling. Naught but the bold facts are set forth. This trust expects to hold the nation in the hollow of its hand. Their plan is to be the grand Bank of the United States, issue at the last its money and have custody of its credit. In a cruder day Jackson defeated a parallel conspiracy; crushed beneath his stern heel the head of similar serpent. With this difference: That was a python of seven and one-half millions, a baby and a plaything to the one in hand. Now are we to confront a serpent of two billions, or one two hundred and fifty times as large. At a time, too, when the Jacksons seem gone from our midst. For a century and a quarter there has been liberty in this land. For a century and a quarter Europe, pointing to America, whether in hate or love, was driven to say with Job: "There the wicked cease from troubling; there the weary be at rest! There the prisoners rest together; they hear not the voice of the oppressor! The small and the great are there, and the servant is free from his master!" Once, this trust of the banks, and Europe will say this no more. There will be none to give tongue to it. The fact of freedom will have departed, the song would be a lie. In that day of gilded narrow fetters the spirit of true Americanism will be crippled, bent, and broken. A sightless Samson, it will grind in the mills of the Philistines. It will long for destruction and dig for death as for treasures that lie hid.

Standard Oil is to be the heart of this bank trust. There is one known thing of Standard Oil. Its minimum profits are at least forty millions yearly. How much more they be in the jealous secret of Standard Oil, and none may pierce it. As stated, as captain-contractors of this bank trust are Rockefeller, Morgan, and the Rothschilds. They will go to New Jersey for organization. That State has grown the Morocco of America. Its statutes are the merest shipyards to build and launch and outfit these trust pirates of commerce. New Jersey, to be consistent, should adopt the black flag as its banner. It should float the Jolly Roger with skull and cross bones from the dome-staff of its capitol. Once this trust of the banks is afloat, it will have beneath its pennant every bank in New York. They must join or be destroyed. The old killing Standard Oil method will suffice for this. Then it will extend itself. Every bank in the country will become its gillie. There will be no limit to its sway. Its powers will find their last extension in the frontiers of the possible. It will loose and unloose credit. It will fix the price of money and censor the markets to the last item of value. It will pick up the national debt and hold the country between its thumb and finger. It will demand bonds and get them, or it will force payment for them. It will stand at the spigot of loans. It will flow money on or off at its selfish interest or caprice. All other businesses will set like beggars at its gates. It will be the Dives of trades, and commerce will become its Lazarus. If it likes you, you may have money; if it hates you, your ruin is within its reach. In short, controlling as it will the tides of credit in their ebb or flow, this bank trust will rule the mart. An autocrat, it will respond to nothing but itself. There will be none greater, none stronger. Congresses will exist by its consent and Presidents wait hat in hand for its orders. It will have power of life and death in business; to lift up or strike down, to plant or uproot. Between the upper and nether millstones of its operations all men are to be ground, and all will be grist to its hopper. Elections will be at its mercy. It will produce in office its own paid, sworn follower. It will draw within the train of its control every element of government. You may change your White House every four years, your Congress every two; yet, once this trust of the banks be rooted, you'll never change your ruler. You will bow eternally before this never-dying, changeless dynasty of money.

Mr. HULL. I yield five minutes to the gentleman from Pennsylvania [Mr. BROSIUS].

Mr. BROSIUS. Mr. Chairman, if it is true that so many distinguished Republicans in the State of New York are up to their ears in the ice trust, it is a very unusual case. It has rarely happened before that distinguished Republicans are found up to their ears in anything that will not bear the light of day.

Mr. SULZER. Well, you are not familiar with the recent record of Pennsylvania.

Mr. BROSIUS. I have not consented to interruption, Mr. Chairman.

THE CHAIRMAN. The gentleman refuses to yield.

Mr. BROSIUS. And when a member undertakes to interrupt another member without his consent, he perpetrates highway robbery. [Laughter.]

Mr. SULZER. No; when a member takes any time from you without your consent I should say it was only petty larceny.

Mr. BROSIUS. I have not yet consented to be interrupted. I only desire to suggest to my friend from New York a possible explanation for the singular and exceptional state of facts about distinguished New York Republicans, to which he has alluded, whether with good warrant in fact or not I can not tell.

But the gentleman himself must see that the instance he mentions is not proof of a customary condition. The gentleman's fairy tale about the ice trust may be disposed of by the suggestion that it is only an "isolated" case. [Applause.] Now I have a word to say that is more interesting than that. My friend from New York will not laugh at it.

Mr. SULZER. Anybody that would laugh at anything that you say will have to get up pretty late in the day.

Mr. BROSIUS. Mr. Chairman, I have not yet consented to an interruption, and the gentleman from New York is still engaged in petty larceny or highway robbery, as he may choose to designate it. [Laughter.]

Mr. Chairman, I desire to employ this opportunity in laying before the House the latest information touching the operation of the new financial law from the date of its passage, March 14, 1900, to June 1, 1900. It must be a source of gratification to every Member and to the country to know how successfully the law is working out the results anticipated by its proponents. What I observed to the

House some weeks ago has been further confirmed by the lapse of time—that the law has more than met the most sanguine expectations of its friends and disappointed every adverse suggestion of its enemies.

REFUNDING PROVISIONS.

Nothing could be more gratifying than the success of the refunding provisions of the law. The statement I submit is official, and shows the amount of bonds of each kind exchanged since the law went into operation March 14 to June 1, 1900, together with the saving in interest, the premium paid, and the net saving. This is the statement:

Title of loan.	Principal.	Accrued interest.	Present worth in excess of par value.	Net saving.
4 per cent consols of 1907.	\$176,920,050	\$153,098.06	\$20,604,891.40	\$4,264,072
5 per cent loan of 1904 . . .	44,090,550	348,770.42	4,481,283.42	632,114
3 per cent ten-twenty's of 1898 . . .	63,534,500	306,789.44	3,608,517.92	1,672,634
Total	285,145,100	808,657.92	28,694,692.74	7,268,813

The "net saving" shown by this statement represents the difference between the amount of interest the Government will pay upon the bonds refunded to the date of their respective maturities and the amount of interest the Government would be obliged to pay had not the bonds been refunded.

Of the \$285,145,100 of bonds offered for exchange, the Treasurer informs me that \$67,667,900 were from institutions or private persons other than national banks, or about 24 per cent of the total.

LEGAL-TENDER REDEMPTION.

The operation of legal-tender redemption under the provisions of the law exhibits a highly satisfactory condition of public confidence in our Government paper, and is a happy omen for the success of that branch of our monetary system in the future. It appears from the statement of the United States Treasury on June 1, 1900, that the amount of United States notes redeemed in gold out of the reserve fund since the law went into operation to that date was \$12,115,735, and of Treasury notes \$1,891,242, a total of \$14,006,977.

As these redemptions occurred from day to day the reserve fund was replenished from the general fund as the law provides. I may repeat here what I stated some weeks ago—that the redemption of United States notes would not have amounted to anything like the sum named but for the fact that under the provisions of the law currency certificates are no longer available as reserve money, and several millions of them have been turned in for United States notes, which were converted into gold certificates.

BANKING AND CURRENCY PROVISIONS.

I now submit a statement from official sources showing by States the number of approved applications for authority to organize national banks, the number of banks organized, and the amount of bonds deposited by them to secure circulation from March 14 to June 1, 1900. This exhibit shows separately the banks of a capital of less than \$50,000 and those of a capital of \$50,000 and over.

Applications approved for the organization of national banks, national banks organized, and bonds deposited by the latter, from March 14 to May 31, 1900, inclusive.

States.	Approved applications to organize national banks.			National banks organized.		
	Number.	Capital less than \$50,000.	Number.	Capital less than \$50,000.	Number.	Capital \$50,000 or over.
Maine	2	\$50,000	—	—	—	—
New Hampshire	1	25,000	—	—	—	—
Vermont	—	—	1	\$25,000	1	\$100,000
Connecticut	1	25,000	1	50,000	—	22,500
New York	10	260,000	7	910,000	4	110,000
New Jersey	5	125,000	8	150,000	2	65,000
Pennsylvania	26	665,000	12	1,700,000	6	150,000
Delaware	1	25,000	—	—	—	—
Maryland	3	75,000	2	175,000	1	25,000
Virginia	5	125,000	1	50,000	1	25,000
West Virginia	3	80,000	1	50,000	2	55,000
North Carolina	4	100,000	—	—	—	—
South Carolina	1	25,000	—	—	1	60,000
Georgia	1	25,000	2	400,000	—	—
Florida	2	55,000	1	50,000	—	—
Alabama	—	—	2	100,000	—	—
Louisiana	2	50,000	—	—	—	—
Texas	22	585,000	5	300,000	6	170,000
Arkansas	—	—	2	100,000	3	210,000
Kentucky	3	75,000	3	1,845,000	2	50,000
					2	1,745,000
						241,300

Applications approved for the organization of national banks, etc.—Continued.

States.	Approved applications to organize national banks.			National banks organized.					
	Number.	Capital less than \$50,000.	Number.	Capital \$50,000 or over.	Number.	Capital less than \$50,000.	Number.	Capital \$50,000 or over.	Bonds.
Tennessee	1	\$25,000			5	\$135,000	4	\$700,000	\$168,250
Ohio	12	305,000	4	\$300,000	5	135,000	4	\$700,000	\$168,250
Indiana	8	200,000	4	250,000	3	95,000	2	100,000	70,000
Illinois	17	470,000	4	375,000	8	220,000	3	300,000	347,000
Michigan	5	135,000			1	25,000			6,500
Wisconsin	3	75,000		450,000					
Minnesota	19	485,000	8	150,000	5	125,000			46,500
Iowa	20	765,000	8	200,000	8	215,000			110,000
Missouri	2	50,000	1	200,000					
North Dakota	11	725,000	1	50,000	2	50,000			20,000
South Dakota	3	75,000			1	25,000			10,000
Nebraska	19	490,000			7	185,000			73,250
Kansas	9	240,000	2	150,000	4	100,000	1	50,000	99,000
Montana	2	50,000							
Wyoming	2	50,000	1	50,000			1	50,000	25,000
Colorado	2	60,000					2	200,000	52,500
New Mexico	1	25,000							
Oklahoma	14	350,000			7	175,000			80,300
Indian Territory	8	200,000	1	50,000	4	110,000	1	50,000	43,750
Washington	2	60,000							
Oregon	2	50,000							
California	1	25,000	1	100,000			1	100,000	50,000
Total	264	6,808,000	72	8,305,000	82	2,175,000	37	5,075,000	2,236,850

It is interesting to note the States which lead in the application for and the organization of banks and the investment of capital therein as exhibited in the foregoing statement. In approved applications for small banks under \$50,000 capital the leading States are:

State.	Number.	Capital.
Iowa	29	\$765,000
Pennsylvania	26	655,000
Texas	22	583,000
Nebraska	19	490,000
Minnesota	19	485,000
Illinois	17	470,000
Oklahoma	14	350,000
Ohio	12	305,000
North Dakota	11	275,000
New York	10	260,000

In approved applications for banks with capital of \$50,000 and over the leading States are:

State.	Number.	Capital.
Pennsylvania	12	\$1,700,000
New York	7	910,000
Wisconsin	4	450,000
Illinois	4	375,000
Ohio	4	300,000
Indiana	4	250,000

In the organization of banks with capital under \$50,000 the leading States are:

State.	Number.	Capital.
Illinois	8	\$220,000
Iowa	8	215,000
Nebraska	7	185,000
Oklahoma	7	175,000
Texas	6	170,000
Pennsylvania	6	150,000
Ohio	5	135,000
Minnesota	5	125,000

In the organization of banks with capital of \$50,000 and over the leading States are:

State.	Number.	Capital.
Pennsylvania	6	\$400,000
Ohio	4	700,000
New York	3	360,000
Illinois	3	300,000
Texas	3	210,000

Number of national banks in existence on March 14 and May 31, 1900, with authorized capital, bonds deposited, and circulation secured by bonds.

	March 14.	May 31.	Increase.
Number of banks.....	3,618	3,722	104
Capital.....	\$616,308,095	\$623,273,095	\$6,965,000
Bonds.....	244,611,570	276,829,990	32,218,420
Circulation.....	216,374,795	263,089,117	46,714,322

Bonds of each class on deposit to secure circulation of national banks on March 14 and May 31, 1900.

Class.	March 14.	May 31.	Change since March 14.
Loan, 1904, 5 per cent	\$22,990,850	\$1,659,500	\$21,331,350
Funded loan, 1907, 4 per cent	130,171,500	19,504,100	110,667,400
Loan, 1925, 4 per cent	14,521,350	9,097,350	5,424,000
Loan, 1908-1918, 3 per cent	56,437,720	12,034,440	44,403,280
Funded loan, 1891, 2 per cent	20,490,150	15,401,250	5,088,900
Consols, 1930, 2 per cent.....		219,133,350	219,133,350
Total	244,611,570	276,829,990

¹ Decrease.

² Increase.

The following statement relates to preliminary applications placed on file with the Comptroller of the Currency to organize national banks which have not yet been approved, showing (1) the number of primary organizations proposed with capital of less than \$50,000, and with capital of \$50,000 or over, and (2) the number of conversions similarly classified May 31, 1900:

State.	Primary.		Conversions.	
	Capital less than \$50,000.	Capital \$50,000 or over.	Capital less than \$50,000.	Capital \$50,000 or over.
Maine.....	3		1	1
New Hampshire.....	8	1	1	
Vermont.....	1			1
Massachusetts.....	10			
Connecticut.....	3	2		
New York.....	27	1	10	6
New Jersey.....	13	2	2	3
Pennsylvania.....	93		6	1
Delaware.....	4			
Maryland.....	11	3	3	2
Virginia.....	8	2		3
West Virginia.....	2	2	4	3
North Carolina.....	3			
South Carolina.....	4		2	
Georgia.....	4	1	8	3
Florida.....	2			1
Alabama.....	5	2		
Mississippi.....	3		1	
Louisiana.....	4			
Texas.....	47	4	20	1
Arkansas.....	1	2	3	
Kentucky.....	4	1	16	3
Tennessee.....	3		5	
Ohio.....	36	7	12	4
Indiana.....	11	4	10	4
Illinois.....	29	4	19	3
Michigan.....	5		7	2
Wisconsin.....	9	1	6	3
Minnesota.....	12	4	28	2
Iowa.....	36	5	35	2
Missouri.....	7	1	14	
North Dakota.....	5		18	
South Dakota.....	3		10	
Nebraska.....	15		26	1
Kansas.....	14	1	23	1
Montana.....	3			
Wyoming.....	4	2		1
Colorado.....	1	2	2	2
New Mexico.....			1	
Oklahoma Territory.....	14	1	18	
Indian Territory.....	11	5	7	1
Washington.....	5	1	5	
Oregon.....			4	
California.....	5		1	2
Idaho.....	1	2		
Nevada.....			1	
Arizona.....			2	
Total.....	476	63	239	60

Aggregate of applications, 938.

It will be observed from the foregoing statements that there has been, since the new law went into operation, an increase in the number of national banks of 104, an increase in the aggregate capital stock of nearly \$7,000,000, and an increase of bank-note circulation of \$46,714,323.

The statement also shows that there has been in the time named an increase in the amount of bonds deposited to secure circulation of \$32,212,360; and of the total bonds deposited, viz., \$276,826,980, \$219,133,350 are the new 2 percents. Altogether this exhibit shows that the progressive operation of the new law is working out in a most salutary fashion, resulting in considerable saving to the people and gradually increasing the volume of our circulation without causing the slightest disturbance in financial conditions. The House and the country are to be congratulated on the happy outcome of the financial legislation of the first session of the Fifty-sixth Congress.

Mr. HAY. I yield ten minutes to the gentleman from New York [Mr. DRIGGS].

Mr. DRIGGS. Mr. Chairan, if Sallust, that great Roman philosopher who made use of the maxim that "Republics are ungrateful" were living to-day he would change that axiom to "Republics are today too grateful." It is along that line that I desire to address this committee, talking absolutely and entirely on some of the amendments that have been sent into this House by the Senate, and particularly that amendment which proposes to make in the first place Major-General Miles a Lieutenant-General in the Army, and in the second place the amendment which proposes to make Adjutant-General Corbin a major-general in the Army. Ever since I have been old enough to read history, to understand and to enjoy it, I have had before me the pictures of the great Lieutenants-General of the small though magnificent Regular Army of the United States. The names of Washington, Scott, Grant, Sheridan, Sherman, and Schofield will ever shine preeminent in our history record of military heroes. When this Republic made of Washington and Grant Lieutenants-General, and afterwards Presidents of the United States, when it made Sherman, when it made Sheridan, and when it made Schofield Lieutenants-General, it did it because their services and their work had been great and glorious for the well-being of this country. Aye, these titles of Lieutenants-General were conferred upon the above-mentioned heroes by a grateful, thankful, and appreciative people for special services performed for the special safety, special well-being, special welfare, and special general good of all the people of all the States of our beloved Republic. [Applause.]

Washington, Scott, and Grant, a trio of the world's greatest military chieftains; Sherman, Sheridan, and Schofield, a trio of the world's bravest fighters and tacticians—a sextette that will live forever in the hearts and minds of the American people as the peer of any military sextette of any other nation that ever existed.

I can see no reason why, fearing no man, having no favors to ask of any officer in or outside of the War Department, I should not say that this legislation coming into the House of Representatives in the last few hours of our session is an outrage. I believe that the American people consider it also to be an outrage, proposing that these two gentlemen (Generals Miles and Corbin) shall be promoted to these great offices entirely on account of political influence.

Now, as to the second provision in this bill. As far as General Corbin is concerned, as to the attacks made on his personal character I have absolutely nothing to say. I sincerely believe, from what I have heard from members on this side of the House, and what I have read in the press of the country, that the reports which have been sent here, or many of the charges, are absolutely without foundation. Also that he has been, as far as these charges are concerned, a much maligned man.

But at the same time I desire to bring before the House the marvelous rapidity with which this Adjutant-General has risen from the rank of lieutenant-colonel to that of brigadier-general and now asking us to make him a major-general. In 1896 General Corbin was sixty-fifth on the list of colonels. In 1897 he goes up to forty-fourth on the list of colonels. I have the official Army Register here before me, and in 1898, on the 25th of February, he was made a brigadier-general. I do not say that this is the first time that a brigadier-general has been at the head of the Adjutant-General's Office.

Mr. GROSVENOR. Will the gentleman allow me to interrupt him?

Mr. DRIGGS. Yes.

Mr. GROSVENOR. Does the gentleman wish to be understood as saying that General Corbin has been promoted over anyone in this arm of the service?

Mr. DRIGGS. Not in his arm of the service; I do not say that.

Mr. GROSVENOR. Is it not a fact that in the staff department of the Army the promotions are in the staff and do not take in the line; that the line is independent of the staff?

Mr. DRIGGS. That is correct.

Mr. GROSVENOR. Now, if the gentleman will allow me one further word, General Corbin from the time he was appointed captain in the Adjutant-General's Office has never been promoted over the head of a single man. Further than that, although he has had opportunity more than once, he has steadily refused to accept pro-

motion over the heads of such men as Ruggles, Williams, and others on the staff.

Mr. DRIGGS. Well, my time is short, and I agree with the gentleman from Pennsylvania [Mr. Brodus], that it is robbery to take a man's time when he has only seven minutes. [Laughter.]

I will try to answer the gentleman from Ohio (realizing that General Corbin is, too, from Ohio). The great bulk of the American people know absolutely nothing about these departments—about the staff or the line of the War Department. They read and hear that this man or that man is a major-general, and they do not know whether he belongs to the staff or the line; and what is more, they do not care. The same thing applies to the Lieutenant-General of the Army. People know that Washington, Scott, Grant, Sheridan, Schofield, and Sherman were Lieutenants-General, and now they read and hear of General Corbin being made a major-general.

Let me show you how grateful the Republic has been to General Corbin. Let me say in passing that he was made brigadier-general shortly after the destruction of the battleship *Maine*. He was appointed brigadier-general on the 25th of February, 1898. Hostilities broke out, and I heard it talked here in the cloak room, and I heard it in the lobbies and everywhere after the *Maine* had been destroyed, that war was as certain to come in a few months as it was that the sun would shine the next day. And, gentlemen, further than that, General Corbin was made a brigadier-general in order that he might have full supervision and knowledge of where the troops should be located, and also in order that the Secretary of War might have some one at his side who would be able to intelligently transmit his orders. Thus he received one reward on account of the war with Spain.

Now, then, on the 13th of August of that year, 1898, and at the very time we knew that the war was about at a close, for the battle of Manila had been fought, Santiago had been taken, and our troops had made the magnificent charges up San Juan Hill, charges which were the pride of every man who loves the Stars and Stripes, aye, which thrilled the heart of every man whose breast is stirred with patriotism (applause), General Corbin was offered the position of major-general, and declined. There is the proposition in the Army Register. I desire to be fair to General Corbin, but I say this now, that I never could get any statement or find anything on the record of the War Department stating why he declined the position, when offered, of major-general of the volunteer service of the United States! General Corbin has been eminently courteous and fair to me; but he now comes into this House of Congress and requests us to make of him a major-general in the regular Army. Draw your own conclusions.

Now, then, my colleagues, let us consider whether there have been any brave men who stood out on the thin blue line of fire, fearing not the shot and shell that were firing over them, that they might uphold the valor and patriotism and courage of their country; and what grade do they hold to-day in the Regular Army? Aye, still further, have not four generals, whom I will name later, been in the service as long, if not longer, than General Corbin? And I appeal to you, every man here, when voting upon this proposition, to take into consideration the records of Generals Otis, Wade, Merritt, and Anderson. Those generals stand to-day on the record of the War Department as brigadier-generals and not as major-generals. I care not if one is of the staff, the other of the line, for in pay and rank a major-general of any branch of the service outranks a brigadier-general of any branch.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. DRIGGS. I ask unanimous consent that I may have my time extended five minutes.

Mr. HAY. I would like to do it, but the time is all divided up.

Mr. HULL. It can not be done without taking it out of the time of one side or the other.

Mr. DRIGGS. I want to make it plain that if one section is stricken out here I will support it.

Mr. HULL. Without entering into a discussion on the provisions of the bill, I want to correct one or two statements that the gentleman has made.

Mr. DRIGGS. I want to say that I do not attack the character of General Corbin. I have publicly stated on the floor of the House that I believe the charges which have been in the public press and have been circulated in relation to General Corbin are false and unfounded.

The CHAIRMAN. The gentleman from New York is recognized for five minutes.

Mr. DRIGGS. Mr. Chairman, I would like to say I am willing possibly to concur as far as the heroism and bravery of General Corbin are concerned, but I would like to say in the vulgar American way that "there are others" in the War Department; to revert to Brigadier-Generals Otis, Wade, Merriam, Anderson, and Schwan.

These records are official.

Name, rank, date of commission, and highest brevet rank.	Service in the Army.		Born in—	Appointed from—		
	In volunteers, with highest brevet rank beyond lineal commission.	In permanent establishment.				
GENERAL OFFICERS.						
<i>Brigadier-generals.</i>						
Otis, Elwell S..... Nov. 26, 93 Bvt. maj. gen., Feb. 4, 99.	Capt. 140 N. Y. Inf..... Sept. 13, 62 Lt. col..... Dec. 23, 63 Hon. must. out..... Jan. 24, 66 Bvt. brig. gen..... Mar. 13, Maj. gen..... May 4, 98 Accepted..... May 9, Lt. col. 6 U. S. C. Cav..... May 1, 64 Col..... Sept. 19, Bvt. brig. gen..... Feb. 13, 65 Hon. must. out..... Apr. 15, 66 Maj. gen..... May 4, 98 Accepted..... May 8, Hon. dis..... June 12, 99	Lt. col. 22 Inf..... July 28, 66 Accepted..... Feb. 7, 67 Col. 20 Inf..... Feb. 8, 80 Brig. gen..... Nov. 28, 93 Accepted..... Nov. 28, 1 lt. 6 Cav..... May 14, 61 Accepted..... June 24, Capt..... May 1, 66 Maj. 9 Cav..... July 28, Accepted..... Sept. 17, Lt. col. 10 Cav..... Mar. 20, 79 Col. 5 Cav..... Apr. 21, 87 Brig. gen..... May 26, 97 Accepted..... June 2, Maj. 38 Inf..... July 28, 66 Accepted..... Sept. 14, Trs. to 24 Inf..... Mar. 15, 69 Lt. col. 2 Inf..... June 10, 76 Col. 7 Inf..... July 10, 85 Brig. gen..... June 30, 97 Accepted..... July 7,	Md.....	N. Y.		
Wade, James F..... May 26, 97 Bvt. col., Mar. 13, 65.	Capt. 20 Me. Inf..... Aug. 29, 62 Resigned..... Jan. 7, 63 Capt. 80 U. S. C. Inf..... Mar. 11, Hon. must. out..... May 20, 64 Lt. col. 85 U. S. C. Inf..... May 21, Trs. to 73 U. S. C. Inf..... June 3, Bvt. col..... Mar. 26, 65 Hon. must. out..... Oct. 24, Maj. gen..... May 4, 98 Accepted..... May 10, Hon. dis..... Feb. 24, 99	1 lt. 2 Cav. [5 Cav.]..... May 7, 61 Accepted..... May 15, Capt. 12 Inf..... May 14, Accepted..... Oct. 8, Trs. to 21 Inf..... Sept. 21, 66 Maj. Mar. 26, 68 Unassigned..... Mar. 15, 69 Assd. to 10 Inf..... June 24, Lt. col. 9 Inf..... Mar. 20, 79 Col. 14 Inf..... Sept. 6, 86 Brig. gen..... Mar. 31, 99 Accepted..... Apr. 3,	Ohio.....	Ohio.		
Merriam, Henry C..... June 30, 97 Bvt. col., Mar. 2, 67.	Pvt. Co. A, 6 Ohio Inf..... Apr. 29, 61 Discharged..... May 15, Brig. gen..... May 4, 98 Accepted..... May 19, Maj. gen..... Aug. 18, Accepted..... Sept. 5, Hon. dis..... June 12, 99	Pvt. corpl., sgt., and 1 sgt. Co. K, qm. sgt. 10 Inf..... June 12, 57 to Nov. 6, 68 2 lt. 10 Inf..... Oct. 31, Accepted..... Nov. 6, 1 lt. Apr. 9, 64 Capt. Mar. 14, 66 Unassigned..... May 19, 69 Assd. to 11 Inf..... Dec. 15, Maj. A. A. G. July 6, 86 Accepted..... Aug. 7, Lt. col. A. A. G. Feb. 19, 95 Col. A. A. G. May 18, 98	Germany.	Army.		
Vacancy.....						
Schwan, Theodore..... May 18, 98 Bvt. maj. Mar. 2, 67.	Brig. gen..... May 4, 98 Accepted..... May 9, Hon. dis..... Apr. 14, 99 Brig. gen..... Apr. 14, Accepted..... Apr. 15,					

Name and rank.	Breveted.	Service performed.
Otis, Elwell S., brig. gen.....	Col..... Mar. 2, 67 Col. Vol..... Mar. 13, 65 Brig. gen. Vol..... Mar. 13 Maj. gen..... Feb. 4, 99	Gallant and meritorious services in the battle of Spottsylvania, Virginia. Gallant and meritorious services in the battle of Chapel House, Virginia. Military skill and most distinguished services in the Philippine Islands.
Wade, James F., brig. gen.....	Capt..... June 9, 63 Maj. Dec. 19, 64	Gallant and meritorious services in the battle of Beverly Ford, Virginia. Gallant and meritorious services in the action at Marion, East Tennessee.
	Lt. col..... Mar. 18, 65 Col. Mar. 18 Brig. gen. Vol..... Feb. 13	Gallant and meritorious services during the war. Gallant services in the campaign in southwestern Virginia.
Merriam, Henry C., brig. gen.....	Lt. col..... Mar. 2, 67 Col. Mar. 2 Col. Vol..... Mar. 26, 65	Gallant and meritorious services in the battle of Antietam, Maryland. Conspicuous gallantry in the capture of Fort Blakely, Alabama. Faithful and meritorious services during the campaign against the city of Mobile and its defenses.
Anderson, Thomas M., brig. gen.....	Maj. Aug. 1, 64 Lt. col..... Aug. 1	Gallant services in the battle of the Wilderness. Gallant services in the battle of Spottsylvania.
Schwan, Theodore, col. a. a. gen	Capt..... Oct. 1, 64 Maj. Mar. 2, 67	Gallant services in the battle of Chapel House, Virginia. Gallant and meritorious services during the war.

OFFICERS AND ENLISTED MEN NOW IN THE SERVICE TO WHOM MEDALS OF HONOR HAVE BEEN AWARDED UNDER THE FOLLOWING LAWS.

A resolution to provide for the presentation of "medals of honor" to the enlisted men of the Army and Volunteer Forces who have distinguished, or may distinguish, themselves in battle during the present rebellion.

Resolved by the Senate and House of Representatives of the United States in Congress assembled, That the President of the United States be, and he is hereby, authorized to cause two thousand "medals of honor" to be prepared with suitable emblematic devices, and to direct that the same be presented, in the name of Congress, to such noncommissioned officers and privates as shall most distinguish themselves by their gallantry in action, and other soldier-like qualities, during the present insurrection. And that the sum of ten thousand dollars be, and the same is hereby, appropriated out of any money in the Treasury not otherwise appropriated, for the purpose of carrying this resolution into effect.

Approved July 12, 1862.

An act making appropriations for sundry civil expenses of the Government for the year ending June 30, 1864, and for the year ending June 30, 1863, and for other purposes.

Sec. 6. And be it further enacted, That the President cause to be struck from the dies recently prepared at the United States mint for that purpose "medals of honor" additional to those authorized by the act (resolution) of July 12, 1862, and present the same to such officers, noncommissioned officers, and privates as have most distinguished or who may hereafter most distinguish themselves in action; and the sum of \$20,000 is hereby appropriated, out of any money in the Treasury not otherwise appropriated, to defray the expenses of the same.

Approved March 3, 1863.

Merriam, Henry C., brigadier-general, for conspicuous gallantry in the assault on Fort Blakely, Ala., April 9, 1865, voluntarily and successfully leading his regiment over the works in advance of orders, permission being given him at his own request; while serving as lieutenant-colonel, commanding the Seventy-third United States colored troops.

Schwan, Theodore, colonel, assistant adjutant-general, for most distinguished gallantry in action at Peebles Farm, Va., October 1, 1864, while in command of his regiment, which was on the picket line, and falling back before a superior force of the enemy, at the imminent risk of his own life, in dragging a wounded and helpless officer of his regiment to the rear, thus saving him from death or capture; while serving as first lieutenant, Tenth Infantry.

Now, Mr. Chairman, read the great records for courage, ability, devotion to honor and duty of the above specially recommended generals. Read particularly the records of medal-of-honor Generals Merriam and Schwan. How magnificent the assault on Fort Blakely by General Merriam; how grandly sublime and heroic the courage of General Schwan in rescuing a wounded brother officer at the risk of his own life; yet, gentlemen of each side of this House, General Corbin will outrank and receive more pay than any of these five great officers. I say, sirs, it is not right; it is not fair; it is not just; it is not in harmony with the American spirit of fair play.

For a moment consider this remarkable Senate amendment, viz:

SEC. 3. That the Adjutant-General of the Army shall have the rank, pay, and allowances of a major-general in the Army of the United States, and on his retirement shall receive the retired pay of that rank: *Provided*, That whenever a vacancy shall occur in the office of Adjutant-General on the expiration of the

service of the present incumbent the Adjutant-General shall thereafter have the rank, pay, and allowances of a brigadier-general.

The only one to be specially rewarded is General Corbin. I contend, sir, that other officers in the Adjutant-General's department are as deserving of political gifts.

If I had any method by which I could get an amendment on this bill, I would make it read something like this: "And all officers in the department of the Adjutant-General shall be promoted at the same time with the Adjutant-General." I will tell you why I would like to have it in. According to the Army Register, at the present time, in the Office of the Adjutant-General of the United States, there are many officers on the list just below General Corbin, who have been in the Army since the early days of the war of the rebellion, and from the following record we see that four of them have been brevetted for bravery, and one of whom has received the medal of honor. The records follow:

Name and rank.	Breveted.	Service performed.
Barber, Merritt, col., a. a. gen.....	Capt..... Mar. 2, 67 Maj..... Mar. 2 Maj. Vol..... Oct. 19, 64	Gallant and meritorious services in the battle of the Wilderness, Virginia. Gallant and meritorious services in the battle of Cedar Creek, Virginia. Having borne himself with distinguished gallantry in every engagement since May 5, and particularly in the engagement at Cedar Creek, Virginia.
Sheridan, Michael V., col., a. a. gen.....	Maj..... Mar. 2, 67 Lt. col..... Mar. 2 Maj. Vol..... Mar. 13, 65	Gallant and meritorious services in the battle of the Opequan. Gallant and meritorious services in the battle of Fisher's Hill, Virginia. Gallant and meritorious services.
Ward, Thomas, col., a. a. gen.....	1 Lt..... June 3, 64 Capt..... Mar. 13, 65	Gallant and meritorious services in the battle of Cold Harbor, Virginia. Gallant and meritorious services during the war.
MacArthur, Arthur, lt. col., a. a. gen.....	Lt. col. Vol..... Mar. 13, 65 Col. Vol..... Mar. 13	Gallant and meritorious services in the battles of Perryville, Kentucky; Stone River, Missionary Ridge, and Dandridge, Tennessee. Gallant and meritorious services in the battle of Franklin, Tennessee, and in the Atlanta campaign.

MEDAL OF HONOR MAN.

MacArthur, Arthur, lieutenant-colonel, assistant adjutant-general, for coolness and conspicuous bravery in action in seizing the colors of his regiment at a critical moment and planting them on the crest of Missionary Ridge, Tennessee, November 25, 1863, while serving as first lieutenant and adjutant, Twenty-fourth Wisconsin Infantry.

I contend that here is one man at least who deserves promotion, and yet by this infamous amendment to this bill that man or any other brave man can receive absolutely no promotion at this time. He is a medal-of-honor man, and he received it for conspicuous bravery in taking the colors of his regiment at a critical moment and planting them on the crest of Missionary Ridge.

Now, I leave it to any fair-minded man on each side of the House, is it American justice, is it American right, is it American sincerity for duty faithfully performed, is it wisdom, is it fair play, to take the present Adjutant-General and single him out and place him above the others as a major-general, and not recognize the men who have been in the Army since the civil war? I say, if you are going to recognize anyone in the Adjutant-General's department, let us recognize them all, from the head to the lowest officer in the division, and give all an equal chance. It is not fair or right, and unless my amendment can be placed in—I know it can not—I will vote against this proposition.

Mr. RHEA of Kentucky. Is it true that General Corbin was conspicuously mentioned for bravery on the field?

Mr. DRIGGS. I have heard the statement made that he was not conspicuously mentioned.

In conclusion, I desire to say that Senate amendment No. 19, in my humble opinion, is absolutely contrary to all the history, all the record of the Regular Army of the United States, and, if this character of legislation continues to be enacted into law, the esprit de corps of the Army will be destroyed, for not acts of valor on the field of battle but acts of political courtesy will be rewarded. [Applause.]

APPENDIX A.

[Editorial, New York Times, Tuesday, June 5, 1900.]

A SCANDALOUS AMENDMENT.

There has seldom passed either House of Congress a more disreputable piece of legislation, considering all the circumstances, than the "rider" which the Senate affixed to the appropriation for the Military Academy. This is the provision making a Lieutenant-General of the Major-General Commanding the Army and a Major-General of the Adjutant-General.

That the General Commanding the Army should be raised in rank is quite proper. The United States Army has been expanded much beyond the limits of a Major-General's command, which is properly a division. It is not only proper, but necessary in the interests of good order and military discipline, that he should outrank the Adjutant-General. If the Adjutant-General is to be a Major-General, distinctly the General Commanding ought to be at least a Lieutenant-General. That the Adjutant-General should be a Major-General may be a

desirable part of a scheme of Army reorganization, but that the present incumbent of that place should be singled out for promotion beyond the rank of any of his predecessors is not a procedure which officers of the Army will be prepared to approve. And that this personal magnification of him should be made without reference to the reorganization of the Army is a scandal; that, after the failure of the Army reorganization bill, his promotion should be tacked on the West Point appropriation is a farce as well as a scandal.

This absurd rider puts General Miles in a very bad and, we hope, in a false position. He has done himself credit by fighting the War Department ring, and contending for a reorganization of the Army which would put the bureaus and these barnacles in their proper places. The announcement that he and the chief of the military politicians are to be promoted together will be taken to denote that General Miles and General Corbin have buried their hatchet and pooled their issues; that soldiers and the lobbyists are pushing their claims in unison, and that in the respective opinions of General Miles and General Corbin their own several promotions are the most desirable and the only really indispensable measures of Army reform. It is a question for General Miles whether he can afford to occupy such a position before the Army and the country; whether he can not better afford to wait for his deserved promotion till it comes in a proper way, and without the taint of a disreputable bargain. He would do his own reputation a service by indignantly disavowing any desire for the passage of the rider to the West Point bill. Whether he does or not, the House should remove that execrable and limit the West Point bill to its avowed and legitimate purpose.

Mr. HULL. Mr. Chairman, I want to say that, so far as General Corbin's promotion is concerned, it was practically answered by the question of the gentleman from Ohio [Mr. GROSVENOR]. There is one law that governs the promotions in the staff and another in the line, and both require that they shall be lined up to the rank of colonel. When a man is promoted to the staff, he goes in relatively a higher rank than in the line. For instance, a lieutenant promoted to the commissary staff goes on as a captain, and the captain promoted to the staff as adjutant or inspector goes on as a major; and from the time he is fixed in the staff he goes up to his place step by step, jumping nobody until he arrives at the rank of colonel.

When he has reached the rank of colonel, the President can select any colonel he pleases for brigadier-general. It is not necessary to take the senior colonel. I want to say for the benefit of my friend from New York [Mr. DRIGGS] and in answer to his charges that when the Adjutant-General of the Army immediately preceding General Corbin was a candidate for the position of Adjutant-General, General Corbin's name was used, and he could have had it at that time; but he voluntarily stated to his friends that this man was his senior and was entitled to that promotion, and asked those who supported him not to press his name

until his senior had first been promoted to the rank of Adjutant-General. So, in place of trying to override others, the history of the man is that he has been willing to do his duty and take his turn in promotion when promotion came under the law.

I now yield five minutes to the gentleman from New York [Mr. CUMMINGS].

Mr. CUMMINGS. Mr. Chairman, I regret indeed to hear the words which have fallen from the lips of my colleague. I think both General Miles and General Corbin are not only worthy, but richly merit the promotion. I shall support the action of the committee with great readiness, because I know victories are not accomplished in the field alone. Napoleon would have been in bad plight without Carnot. Carnot fought at Wattignies, and in the French war department became the man who was known as "the organizer of victory."

General Corbin occupied the same position in the Spanish war. I will vote all the more readily and stand by the action of the committee because both these officers were volunteer officers who won their way up from the ranks as private soldiers. [Applause.] They have both been promoted for gallant conduct on the field of battle. [Applause.]

Now, something has been said about trusts. I wish to read a letter that I received this morning from Lincoln, Nebr.

It is as follows:

LINCOLN, NEBR., June 2, 1900.

MY DEAR MR. CUMMINGS: I see that the Republicans are asserting that I think a constitutional amendment necessary for the annihilation of the trusts. I have never said or believed that an amendment was necessary. I have urged legislation which I believe to be constitutional, and have said that I favor a constitutional amendment if the decisions of the Supreme Court declare such legislation unconstitutional. The Republican party does not want to destroy the trusts. During this session of Congress the Republicans have unanimously supported a proposition to give to national banks control of the currency, and thus create a paper-money trust. I inclose a copy of Chicago anti-trust speech, which discusses the question of constitutional amendment.

Yours truly,

W. J. BRYAN.

Mr. HULL resumed the floor.

Mr. CUSHMAN. I should like to ask the gentleman from New York [Mr. CUMMINGS] a question.

Mr. HULL. I yield to the gentleman for that purpose, although I believe that the time of the gentleman from New York is not up.

Mr. CUSHMAN. I understand from the reading of that letter that Mr. Bryan stated that he had not declared in favor of a constitutional amendment, but would be in favor of it when the Supreme Court had declared that a constitutional amendment was necessary. I think I state it correctly; and I should like to ask the gentleman how he harmonizes that statement with the record of W. J. Bryan when, in the last campaign, he made his onslaught upon the Supreme Court of the United States on account of its decision in the income-tax case. [Applause on the Republican side.]

Mr. CUMMINGS. He who runs can read. Here is what Mr. Bryan says:

I have urged legislation which I believe to be constitutional, and have said that I favor a constitutional amendment if the decisions of the Supreme Court declare such legislation unconstitutional.

Mr. CUSHMAN. That is exactly the language to which I called the gentleman's attention.

Mr. CUMMINGS. You ought to be able to understand his language.

Mr. CUSHMAN. Mr. Bryan is in favor of a constitutional amendment and in favor of the Supreme Court's decisions when they decide his way; and when they decide the other way he is not. That is what his letter really means.

Mr. CUMMINGS. They have not decided one way or the other yet. He is in favor of a constitutional amendment if the trusts can not be reached without it.

Mr. CUSHMAN. He did not stand by the decision of the Supreme Court in the income-tax case. How do you know he will stand by the decision of the Supreme Court in the matter of trusts, when he did not agree to the wisdom of the court's decision in the income-tax matter?

Several MEMBERS. Do you stand by the decision of the Supreme Court in the income tax?

Mr. CUSHMAN. The court decided against the income tax, and I have always abided by the decisions of the Supreme Court of the United States.

Several MEMBERS. Do you think that decision was right?

Mr. CUSHMAN. As a matter of law, it became the law [derisive cries on the Democratic side] of the land when the Supreme Court made its decision, and that decision is entitled to just as much credit as any other decision of the same tribunal.

What I object to is the attitude of Mr. Bryan, who repudiates the decisions of that court when they do not sustain his views, and then on this occasion attempts to say that he is waiting for the decision of the court which he formerly repudiated! [Applause on the Republican side.]

Mr. HULL. I yield three minutes to the gentleman from New York [Mr. CLAYTON].

Mr. CLAYTON of New York. Mr. Chairman, I do not wish to take up much time. I only want to state one or two reasons why I am in favor of this amendment. As has been stated by my colleague from New York, these two officers whom it is proposed to promote hold their present positions on their merits alone. The Major-General Commanding the Army was a distinguished officer in the civil war, and he has been distinguished in a number of Indian campaigns, and his entire service is of the highest order.

So far as concerns the charges once preferred against the present Adjutant-General, we have only to look at the fact that he faced his court-martial and that he was cleared. But in addition to that we know that we can look at the record and see that he won two brevets for gallantry in the field. I think that answers fully that part of the opposition.

Now, as a matter of public policy, I think this question is of more importance than any question as to the personality of these two officers. I believe, Mr. Chairman, we ought to have a general commanding the United States Army, and that he ought to be given the rank at least of a major-general and should have command of the fighting force of the Army. The Army should not be under the command of the administrative head of that Department, the Secretary of War, except so far as regards the clerical force, legal bearing, and departmental administration, as distinguished from the uniformed fighting force, which should be directly under the orders of the commanding general. General Miles has shown by his past services that he is eminently fit for the position; and I believe it will be of immense advantage to the Army and the country to give him this rank and let him command the Army.

So far as the Adjutant-General is concerned, I believe he ought to have this rank; he ought to be placed above the heads of the other members of the staff department. He should have complete control of the staff department of the entire Army, not simply of one bureau. I believe, Mr. Chairman, that both these promotions will add to the efficiency of the service and be a matter of advantage to the entire country.

Mr. HULL. I hope the gentleman from Virginia [Mr. HAY] will occupy the remainder of his time.

Mr. HAY. I yield ten minutes to the gentleman from Ohio [Mr. LENTZ].

The CHAIRMAN. The gentleman from Ohio [Mr. LENTZ] is recognized for ten minutes.

[Mr. LENTZ addressed the committee. See Appendix.]

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. LOVERING having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. PLATT, one of its clerks, announced that the Senate had insisted upon its amendments to the bill (H. R. 11719) amending section 5270 of the Revised Statutes of the United States disagreed to by the House of Representatives; had agreed to the conference asked by the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. FAIRBANKS, Mr. HOAR, and Mr. LINDSAY as the conferees on the part of the Senate.

The message also announced that the Senate had insisted upon its amendments to the bill (H. R. 9388) to provide better facilities for the safe-keeping and disbursement of public moneys in the Philippine Islands and the islands of Cuba and Porto Rico, disagreed to by the House of Representatives; had agreed to the conference asked by the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. ALDRICH, Mr. WOLCOTT, and Mr. VEST as the conferees on the part of the Senate.

The message also announced that the Senate had passed bill and joint resolution of the following titles; in which the concurrence of the House was requested:

S. 130. Joint resolution making an emergency appropriation for the repair of certain roads and bridges in the District of Columbia; and

S. 246. An act for the erection of a public building at Marblehead, Mass.

SENATE BILL REFERRED.

Under clause 2 of Rule XXIV, Senate bill of the following title was taken from the Speaker's table and referred to its appropriate committee as indicated below:

S. 246. An act for the erection of a public building at Marblehead, Mass.—to the Committee on Public Buildings and Grounds.

MILITARY ACADEMY APPROPRIATION BILL.

The committee resumed its session.

Mr. HULL. Mr. Chairman, how much time have I?

The CHAIRMAN. The gentleman has fifteen minutes, and the other side has seven minutes.

Mr. HULL. Mr. Chairman, I want to refer very briefly to the reference which has been made by the gentleman from Ohio to the action of the Committee on Military Affairs. This House, according to the gentleman, has not done its duty to the Committee on Military Affairs. The action which was proposed by

the gentleman from Ohio in the committee this morning, had we concurred, would have been an insult, in my judgment, to the other committees of the House. As chairman of the Committee on Military Affairs, I ruled his motion out of order. I appeal to you gentlemen on the floor here if it is not true that other committees of the House have some rights as well as the Committee on Military Affairs? I sometimes am sorry that this is true, because I really believe that the Committee on Military Affairs should dominate and control the action of the House and the country as a rule. The gentleman from Ohio did introduce a resolution and supported it in the committee, asking us to pass a resolution in the committee, as an instruction to the Committee on Printing, to report back a resolution printing so many thousand copies. When the question was raised—

Mr. LENTZ. Will the gentleman allow me to ask him a question?

Mr. HULL. In a minute. And the question was raised that we had no power to instruct; and he moved that we request the Committee on Printing to have 10,000 copies printed. Is not that a correct statement?

Mr. LENTZ. No; my first proposition was—and the chairman misstated me—I moved "that this committee request the Committee on Printing to report at once the privileged resolution for the consideration of the House, providing for the printing of 10,000 copies of the evidence and argument." I mean the resolution passed by the Senate and sent over here to the House.

Mr. HULL. If I have misstated it, then I beg the gentleman's pardon.

Mr. LENTZ. The Chair held it out of order.

Mr. HULL. "The Chair" will make his own statement now. My recollection is that the first motion of the gentleman from Ohio was to instruct. If I am mistaken, of course I take that back. Can it be in order that the Committee on Military Affairs should pass a resolution requesting another committee to perform their duty, whether they want to or not? Is it not fair to assume that other committees of the House do their duty? The Chair held it out of order. The gentleman from Ohio took exception to it, and the chairman of the committee held that if he was not satisfied with the ruling that he should appeal to the committee, and let them pass upon it. I still believe the chairman of the committee's ruling was correct, that the committee had no right by formal action to invade the domain of other committees, or to interfere with a committee in the performance of its duties. As members of the committee, and as members of the House, we have the right to go to any committee of the House and ask them to do something we want to have done personally, or as a committee of the House, but we have no right to pass a resolution either to request or instruct the committees of the House as to what they shall do.

Now, as to the question of the clerkship in the War Department. The gentleman from Ohio is too able a man to believe for one minute that the heads of these great staff departments, and especially the Adjutant-General of the Army, is a mere clerk. He knows, and every other member of the House knows, that the Adjutant-General of the Army, if he discharges his duty efficiently, should at least be one of the ablest military men in the country. He is virtually, under our present system, the chief of staff of the Secretary of War and, through him, of the President; and in place of the present Adjutant-General haunting the corridors of the Capitol, during this session or last, asking Congress to give him a promotion, I want to say that he certainly would have come to me as chairman of the committee if he had been haunting the corridors. I never yet heard him in the Capitol of the nation ask me or any other member of Congress to give him this promotion.

Mr. LENTZ. Will the gentleman permit an inquiry?

Mr. HULL. Certainly.

Mr. LENTZ. Is it not a fact that he appointed sons of members, and indirectly got their influence in that way?

Mr. HULL. He has been instrumental in having appointed a good many staff officers. The gentleman from Ohio is evidently anxious to get the fact before the country that I have a son in the Army, who has served in the staff department and is now at Manila. That is something that I am very proud of. I am delighted, Mr. Chairman, to admit to this House and to the country that I have a son in the Army. He went first in an Iowa regiment, enlisted first in the Fifty-first Iowa Regiment, having served in the Guards for ten years, and got a commission in that regiment, by the votes of his own comrades, for the rank of captain. [Loud applause on the Republican side.]

And, Mr. Chairman, he was promoted, and is now major on the staff in the Philippines. [Renewed applause on the Republican side.] His regiment has come home, and both myself and his good mother have tried at the War Department for the last five months to get him ordered home, so that he could resume the avocations of peace; and the testimony from several of the generals who have returned, among others the gallant General Wheeler, is that his work there was so good, he was so efficient

in discharging the duties of his office, that they did not want to retire him, but further to advance him. [Loud applause on the Republican side.] I do not desire to conceal this fact. Mr. Chairman, I thank God I have boys who can serve their country. [Renewed and loud applause.] I am proud of them. I thank God that I am not one of those anomalous creatures who have not been able to perpetuate their species and have nothing to look forward to with the hope of posterity. [Loud and long-continued cheering and applause on the Republican side.]

Mr. LENTZ. Will the gentleman please— [Continued applause on the Republican side.]

Mr. LENTZ. I want to say if I had a son he would be able to support himself without being a pap sucker and pensioner on his country. The vulgarity of the gentleman's remark may be natural to him, but not original. I first heard it when a boy, told by a steamboat roustabout, and I reply to the indecent plagiarism as it was originally replied to by John Randolph, who said: "I have no desire to compare myself with a man who confesses that any common barnyard rooster is his equal and every jackass is his superior." [Cries of "Oh!" and hissing on the Republican side and applause on the Democratic side.] Will the gentleman explain about his other son. [Renewed hissing on the Republican side and applause on the Democratic side.]

Mr. HULL. I would, if it had any connection with this matter.

Mr. LENTZ. Is he not sucking the public teat also? [Renewed hisses on the Republican side and applause on the Democratic side.]

Mr. HULL. I yield to the gentleman from Pennsylvania [Mr. BINGHAM].

Mr. BINGHAM. Mr. Speaker, I had not thought it necessary to add one word to this debate. But I feel impelled to pay a meed of praise and tribute to Maj. Gen. Nelson A. Miles. The Army of the United States under existing law is much larger, in arms and men, than it was a few years ago, and doubtless it will so continue for years to come. Its fixed enlisted force warrants a commanding officer with greater rank than that of major-general. There should be a lieutenant-general's rank because the force to be commanded is so entitled and can be more efficiently administered.

It was my great honor as well as my distinction to serve during the war of the rebellion or civil war in the command and on the immediate staff of Maj. Gen. Winfield Scott Hancock, that brilliant and great Pennsylvania soldier, later in his career the nominee of one of the great political parties for President of the United States. My association with him was close and intimate as one of his immediate staff, and an unbroken friendship existed between us until the date of his death. In Hancock's command during our years of active, aggressive war was a brave young officer, a lieutenant, rapid in his many promotions because of his marked gallantry and distinguished military work, possessing at all times the confidence and trust of his superior officer and officers—Colonel, afterwards Major-General, Nelson A. Miles.

I trust the legislation now under consideration will make this day and Congress memorable. I desire to fix in the permanent record of the country a statement of fact, so that hereafter the student of history may read it side by side with the fact of the rank of Lieutenant-General having been conferred upon this great soldier, one of the most distinguished among the living veterans of the war of the rebellion, that Pennsylvania's superb commander, Hancock, not once during the war, but many, many times; not once after the war, but many, many times, declared that had General Miles enjoyed the opportunities and received the benefits of a West Point education he would have developed into one of the ablest and most brilliant commanders, as he was one of the bravest officers, of the civil war. [Applause.]

Mr. HULL. Will the gentlemen on the other side of the House now use some of their time?

Mr. HAY. Mr. Chairman, it seems to me this is a purely business proposition; and the question is whether or not this is the proper time to promote either General Miles or General Corbin. It has been determined that the reorganization of the Army shall not take place at this session of Congress; and I can not see any reason now why General Miles should be made the Lieutenant-General of the Army until we know what the Army upon its permanent basis is going to be.

No one doubts the physical courage of General Miles; but the President of the United States in the war with Spain seems to have doubted the ability of General Miles to command the armies of the United States when they were sent forth against the enemies of the people. The President did not place General Miles in command of the campaign in Cuba; and that officer was not given an opportunity during the entire war to show what his genius was in the command of troops.

There is no reason why General Miles should now be promoted. Every man who has been Lieutenant-General of the Army of the United States has won his spurs upon the field of battle, in the command of great armies, and in the defense of great principles.

Mr. GRAHAM. Will the gentleman allow me a moment? Mr. HAY. If it is only a question, I yield.

Mr. GRAHAM. Did not General Miles earn his spurs in the civil war?

Mr. HAY. He earned his spurs as a man of courage in the civil war, but not as a general in command of an army. He never commanded an army.

Mr. BINGHAM. Did Lieutenant-General Schofield command an army.

Mr. HAY. He commanded a corps, and frequently a detached portion of the Army.

Mr. BINGHAM. Oh, no.

Mr. HAY. Now, every one of these five Generals—Washington, Scott, Schofield, Grant, and Sherman—won their spurs in the manner I have stated, and won their promotions in the same way.

It is argued that the General of the Army should have more authority; but this bill does not give him any more power. He commands the Army now, and until you change the Constitution of the United States the General of the Army can not outrank the President of the United States; and no matter what his rank may be, he can only command the Army under the orders of the President of the United States.

Now, as to General Corbin, it is said that the Adjutant-General (and that is the argument used here) ought to have more power in order to deal with the various staff officers and commanders who are under him or ought to be under him. But this bill does what? It does not make the Adjutant-General a permanent major-general. It simply makes General Corbin a major-general during his life, and when he retires or dies the man who succeeds him is to be a brigadier-general. That is neither fair nor right. If it is right for the present Adjutant-General to be a major-general, then every succeeding Adjutant-General ought to be a major-general.

But it is said that this promotion is given to General Corbin as a peculiar promotion for services rendered by him. I do not know what those services are more than those rendered by the heads of other departments. General Ludington, General Breckinridge, and every staff officer in charge of a department did his duty just as faithfully and just as well as did General Corbin, and why he should be promoted more than they I do not understand. Moreover, it is a curious fact that if this bill becomes a law, in the course of events an officer of the staff, General Corbin, will become the Lieutenant-General of the Army when General Miles retires. That will be the effect of this if it becomes a law.

I yield the balance of my time to my colleague on the committee [Mr. JETT].

Mr. JETT. Mr. Chairman, I do not desire to discuss this matter to any great extent, but I simply desire to make this suggestion to the members of the House: I am of the opinion that if the rank of one of the chiefs of staff is raised above that of the others, it will cause friction, and every member of this House knows that there is at this time enough friction in the Army of the United States.

You may leave out the question as to the relative merits of General Corbin or any other of the officers of the staff, but when you undertake to raise the rank of one of the chiefs of staff and fail to raise the rank of the others, then, I believe, from that very hour you are going to breed more discontent in the ranks of the Army, because it is well known by every member of this House that the Quartermaster-General's position is a very responsible one.

I admit for the sake of argument that the position of Adjutant-General is also a responsible one; but I will not admit that it is a more responsible position than that of the Quartermaster or some of the other heads of staff. Then why make this distinction, gentlemen, when you know that it can have no other effect except to breed more discontent in the ranks of the Army? I do not want to see it. There is nothing personal about this matter, but I believe it will not be for the best interests of the Army of the United States to undertake to raise the rank of one of the chiefs of staff above that of the others. [Applause on the Democratic side.]

I am not in favor of raising the rank of any of the chiefs of staff. There is no reason given why it should be done, that is, to my mind, that justifies such action. This is giving rank to this office that was not permitted during the war between the States, when an army was in the field of 2,000,000, when more responsibilities rested upon the incumbent of the office. Why now depart from that which has been recognized as a part of the history of the Army of the United States? I am opposed to it on principle. [Applause.]

Mr. HULL. Mr. Chairman, have I any time remaining?

The CHAIRMAN. The gentleman has five minutes remaining.

Mr. HULL. I yield to the gentleman from Ohio [Mr. Brown].

Mr. BROWN. Mr. Chairman, I wish there was something somewhere in the record of patriotism that would command the respect of the gentleman from the capital district of Ohio [Mr. LENTZ]. He comes here to-day to attack and malign an Ohio soldier. He says here that he is tired of hearing of men who are seeking promotion in the Army without fighting for it. If he

knew as much about the history of his State as he ought to know, he would know that Henry C. Corbin has fought for his promotion.

If he knew as much about the history of our State as he ought to know, he would know that Henry C. Corbin, at the age of 19 years, being then a resident of what is now the Sixth Ohio Congressional district, joined the tens of thousands of other patriotic young men of Ohio to stand by the flag of the Union, as he did stand by it and fight for it through all the years of the civil war. The gentleman [Mr. LENTZ] says he wants to find a man who will fight for his promotion. General Corbin has fought for his promotion, not for one year or for four years, but he has fought for his promotion for thirty-five years, commencing, as I said, at the age of 19 years, and having been from that time to this substantially all the time in the honorable service of his country. Fight for his promotion! He has fought for it. He has won this promotion by splendid service. Let me read to the gentleman from Ohio and to this House two sentences from a letter under date of August 12, 1865. Referring to General Corbin, this is said:

He was always faithful in the performance of his duties, and in his relations with his men considerate, just, and firm. I regard him as a valuable officer, and especially qualified for that branch of the service in which he is employed.

That was written in 1865, and it was written by Gen. Joseph E. Hooker. In October, 1867, the President of the United States conferred upon this young man the rank of major by brevet "for gallant and meritorious services at Decatur," and in the same month, October, 1867, he was by the President appointed lieutenant-colonel by brevet "for gallant and meritorious services at the battle of Nashville." Mr. Chairman, no truer thing has been said here to-day than that by the gentleman from New York [Mr. CUMMINGS] when he declared a few minutes ago that Henry C. Corbin was the organizer of the victory that this country won over Spain.

In April, 1898, the Army of the United States, officers and men, numbered only a little over 28,000. Sixty days later our Army, in officers and men, numbered more than 160,000, and within four months this number was increased to over 272,000. The work of mustering in this great force and organizing it and making it an effective army in the space of a few months was a gigantic task, which fell upon the shoulders of General Corbin more than upon any other man, and the manner in which he performed this duty has secured for him the admiration and gratitude of his countrymen.

Mr. Chairman, Henry C. Corbin is entitled, as I think, for personal reasons, and I do not go into those of a military character, to this promotion. He is entitled by his character, by his services, by his ability to have conferred upon him the honor which is given by this Senate amendment. [Applause on the Republican side.]

Mr. HAY. I wish to correct a statement I made. I made the statement that under this bill General Corbin, if made a major-general, would become Lieutenant-General of the Army. I desire to correct that statement, as it is not correct under the reading of the bill.

Mr. HULL. That is so.

The CHAIRMAN. The time devoted to general debate has been exhausted.

Mr. HULL. As the general debate has had its full run, I now ask unanimous consent that the Committee of the Whole disagree to all amendments of the Senate and recommend that the conference be granted as asked for.

Mr. UNDERWOOD. I will state to the gentleman from Iowa that I do not desire to delay the matter, but I wish to offer an amendment to one of the amendments of the Senate, and I think that as this question has been discussed, it is better to have a vote on it now.

Mr. HULL. Then, if there is objection, I call for the reading of the amendments.

The CHAIRMAN. Objection is made. The Clerk will read the first amendment.

The Clerk reported the first Senate amendment.

Mr. HULL. I ask to nonconcur in that amendment.

Mr. DALY of New Jersey. Mr. Chairman, I desire to speak to the motion.

The CHAIRMAN. Does the gentleman from New Jersey desire to oppose the motion?

Mr. DALY of New Jersey. Yes.

The CHAIRMAN. The gentleman from New Jersey [Mr. DALY] is recognized.

Mr. DALY of New Jersey. Mr. Chairman, I understood that during the course of this debate, the gentlemen who favored this measure did it on the ground that they wanted to see justice done to General Corbin and General Miles because of the services they had rendered their country.

Mr. HULL. Mr. Chairman, a point of order. This amendment has nothing to do with either General Corbin or General

Miles, and under the five-minute rule I hope the gentleman will speak to the pending amendment.

Mr. DALY of New Jersey. I will get to that in a moment.

The CHAIRMAN. The point of order is well taken.

Mr. DALY of New Jersey. I merely wanted to pave the way to get to the amendment. I think I am doing it in the same manner that most gentlemen do it when they are engaged in debate. I am discussing this proposition in this manner because none of the gentlemen on the other side or on this side are willing to pay more tribute to these distinguished soldiers than am I; but it strikes me very forcibly that in your anxiety to pay tribute to them you are not paying tribute to the thousands of private soldiers who, at the same time, are just as worthy of it as are those who are called generals.

I am daily in receipt of communications from my State in reference to the conduct and management of the Pension Bureau. Protest after protest comes to me from the veterans of the civil war and from their widows at the manner in which they are treated by the Pension Bureau. I want to say here that when the Congress of the United States will remove that political mountebank who is at the head of the Pension Bureau then I can afford—

The CHAIRMAN. The Chair will ask the gentleman, as the committee are now under the five-minute rule, to confine his remarks to the amendment before the committee, in accordance with the point of order.

Mr. DALY of New Jersey. Well, then, in order that your feelings may not be injured, and in order that I may be consonant with the rules, permit me to ask unanimous consent of this House that I may proceed in the manner in which I am proceeding for the remainder of my time.

The CHAIRMAN. The gentleman asks unanimous consent to proceed in the manner in which he is now proceeding for five minutes. Is there objection?

Mr. HULL. I will consent to it in this case; but I shall try to enforce the rules hereafter, as this is likely to be the last day of the session.

The CHAIRMAN. The gentleman will proceed for five minutes.

Mr. DALY of New Jersey. Now, if you want to do justice to men who were brave and to their widows, it may not be out of place for me to suggest that you answer the proposition. Why has the Pension Department during this Administration rejected 125,000 pension claims? It might not be out of place, when you are trying to do justice to military officers, to ask you why you permit veterans to-day to go into the poorhouse? It might not be out of place to ask you, sir, why you held up claims for five or ten years in the Pension Department without paying that attention to the claims that they deserved?

I might further ask you why this Pension Department has insisted upon veterans and those claiming pensions to be examined five or six times within a period of two years. And I might further ask you why you are so economical in dealing with the plain soldier and so willing to be very extravagant when dealing with major-generals. I say to you that if you want to be just, if you want to give to the brave that which they deserve, you would pay more attention to these claims than to the demands of those who seek promotion at the hands of the Government.

In conclusion, I say to you that there are hundreds of thousands of people in this country will demonstrate their gratitude when you remove the man who is at the head of the Pension Bureau in order that justice may be done to those who claim pensions.

Mr. SIMS. Mr. Chairman—

The CHAIRMAN. Does the gentleman desire to address himself to the amendment?

Mr. SIMS. I wish to have a little paper put in the RECORD in connection with the remarks that the gentleman has just been making.

Mr. HULL. I object.

Mr. SIMS. Let me tell you what it is, and then you can object if you desire to do so. There has been so much said about the Pension Bureau that I asked for the record of the medical referee in one of these cases, and I simply want it read in order that it shall go into the RECORD.

Mr. HULL. Let it go into the RECORD. I have no objection to that.

The CHAIRMAN. The gentleman from Tennessee asks unanimous consent to print in the RECORD the document to which he has referred. Is there objection? [After a pause.] The Chair hears none.

The paper referred to is as follows:

DEPARTMENT OF THE INTERIOR,
Bureau of Pensions, Office of Commissioner.

DEAR MR. SIMS: I hand you herewith the record of the medical referee of this Bureau as per your request.

It seems to me his record is a good one, both as a soldier and surgeon.

Very respectfully,

H. CLAY EVANS, Commissioner.

Dr. Jacob F. Raub enlisted as a private in Company K, One hundred and twenty-ninth Pennsylvania Volunteers, August 1, 1862, and served as such in the following engagements:

Second Bull Run, Antietam, Shepherdstown, Fredericksburg, Burnside's Mud March, Chancellorsville.

At Fredericksburg, Humphrey's Division, Fifth Corps, to which he belonged, made the last charge against the stone wall at Marye's Height. At Chancellorsville he participated in a hand-to-hand fight for the colors of his regiment, against a Louisiana regiment, bringing them safely off the field, and he captured the only survivor of the attacking party.

May, 1864, he was appointed assistant surgeon, and was assigned to duty at Carver Hospital, Washington, D. C. He was relieved at his own request to go to the front, and was assigned to duty in the Sixth Corps Field Hospital, where he served during General Grant's Wilderness campaign.

Assisted in transferring said hospital from White House, Va., to City Point, Va., and continued to serve therein until the Sixth Corps was moved to the Shenandoah Valley, when he was transferred to the Fifth Corps Hospital and placed in charge of a section of said hospital, including the officers' ward. During the time that smallpox was in the hospital he had charge of the smallpox ward.

At his own request he was relieved to accept duty at the front. This was about September 1, 1864.

September 13, 1864, he was placed in charge of the Two hundred and tenth Regiment Pennsylvania Volunteers. On the arrival of Surg. W. S. Wilson, about November 1, 1864, who relieved him, he remained with the regiment, and in addition to his duties in the regiment, he was detailed by Gen. James Gwyn, commanding the brigade, to attend the sick at brigade headquarters.

About December 1, 1864, he was appointed by the surgeon in chief of the Fifth Corps a member of the board of operating surgeons of the Fifth Corps Field Hospital, which position he continued to hold until he was mustered out of service.

A few days after the battle of Hatcher's Run, February 5 and 6, 1865, he was detached from the Two hundred and tenth Regiment Pennsylvania Volunteers, and assigned to duty with the Fifth Corps Artillery Brigade, staff of General Walwright, commanding the brigade, where he remained until mustered out of service after Lee's surrender.

He was awarded a Congressional medal of honor for "most distinguished gallantry in action at the battle of Hatcher's Run, Virginia, February 5, 1865."

Major-General Gwyn, in addressing the honorable Secretary of War, says: "Sir: I have the honor to request that a medal of honor be granted Dr. Jacob F. Raub, late (assistant) surgeon of the Two hundred and tenth Pennsylvania Volunteers, for gallantry and meritorious services rendered at the battle of Hatcher's Run, Virginia."

"On the date of this battle Dr. Raub was one of the board of operating surgeons of the field hospital of the Fifth Army Corps, established in the rear, beyond the reach of danger, to which the wounded were sent from the field.

"His regiment being without a medical officer, Dr. Raub volunteered to accompany it in the fight and obtained permission of the surgeon in charge of the field hospital to do so, whilst in strict line of duty he might have remained at the field hospital, secure from danger.

"He accompanied his regiment into the battle, was conspicuous in his attention to the wounded as they fell in battle, and while so engaged, under a heavy fire, he discovered a heavy column of the enemy stealing by my flank to my rear. The whole division was heavily engaged at this time and no enemy was expected or supposed to be in this direction.

"Dr. Raub, appreciating the imminent danger of our line being attacked on flank and rear, ran through our line under a heavy fire and apprised General Ayres and myself of the threatened danger, which no doubt saved us from serious disaster.

"The prompt and intelligent action of Dr. Raub gave me time to change direction of part of my brigade and to meet the flank attack and severely repulse the enemy.

"Dr. Raub, though a noncombatant, appreciating the gravity of the situation, also took the musket and ammunition from a wounded soldier and fought gallantly in the ranks until the enemy was repulsed, and was complimented by Gen. R. B. Ayres, commanding Second Division, and by myself, for the part he took in this action.

"For this and for his intelligent grasp of the critical danger that threatened my flank, together with his brave and gallant and perilous effort to apprise General Ayres and myself of the situation, Dr. Raub deserves the recognition of a grateful country, and I most earnestly request that a medal of honor be granted him."

He was mustered out of service at the end of the war, May 30, 1865.

June 20, 1865, commenced the practice of medicine at Mount Bethel, Northampton County, Pa., and continued there in active practice until the 1st of September, 1866.

From September, 1866, until May, 1867, took a post-graduate course at the Philadelphia Polyclinic and Medico-Chirurgical Medical College, Philadelphia.

From May, 1867, to October, 1869, he practiced his profession at Bethlehem, Pa., and from October 9, 1869, he has been employed in the medical division of the Pension Bureau. From April, 1869, to April, 1867, he was in charge of the eye and ear section. From February 10, 1871, until July 15, 1869, he was United States pension examining surgeon.

During the railroad riots in Pennsylvania in 1877 he was surgeon of the Fourth Regiment National Guard of Pennsylvania, by appointment of Gen. John F. Hartranft, governor of the State.

Mr. HULL. I ask that the House nonconcur in the first and second amendments. They are both part of the same thing.

The motion was agreed to.

The Clerk read amendment 3:

In line 12, page 7, insert, after the word "at," the words "the rate of."

Mr. HULL. Mr. Chairman, amendments 3, 4, and 5 are all on the same subject. They refer to the pay of a watchman, and reduce the number of hours he can work to eight. Now, Mr. Chairman, as he comes in competition with no other laboring man on earth, is a soldier of the Army, an enlisted man performing detail work, it seems to me it is a bad policy to introduce the eight-hour rule in the Army of the United States. He is not coming in competition with any other laboring man, has nothing to do with labor, and I move that the committee nonconcur in these three amendments. They are all virtually one.

The CHAIRMAN. The gentleman from Iowa moves to nonconcur in these three amendments.

Mr. LENTZ. Mr. Chairman, I think that even if that be true there can be no harm in concurring in the proposition to make it

an eight-hour provision, and no reason why this should not stand in all our legislation.

But, Mr. Chairman, I desire to reply, inasmuch as I was not permitted under the general debate, to the gentleman from Iowa with reference to his sons. I was speaking not of his one son, but of all his sons, for all of them seem to be on the Government pay roll.

Mr. SHATTUC. Mr. Chairman, I raise the point of order.

Mr. LENTZ. If he had spoken—

Mr. SHATTUC. I raise the point of order that the remarks of the gentleman are not germane to the question before the committee.

The CHAIRMAN. The point of order is well taken.

Mr. LENTZ. Well, I can easily see that, but I guess the gentleman from Iowa does not dare to take exception, and if he does I hope that I will not be foreclosed from making a reply to him.

Mr. SHATTUC. I object.

Mr. LENTZ. I am particularly anxious to know what his other son is doing—

Mr. SHATTUC. I shall object.

The CHAIRMAN. Objection is made.

Mr. LENTZ. All I want to say is that it is a reflection on the gentleman from Iowa that he sits impotent and refuses to request an opportunity for me to reply.

The CHAIRMAN. Objection is made; and the gentleman will proceed in order.

Mr. LENTZ. The gentleman has expressed himself as exceedingly proud of his activity at the other end—

Mr. SHATTUC. I object.

Mr. LENTZ. If he had been more productive at the upper end I would have had more respect for him.

Mr. SHATTUC. I object.

Mr. PAYNE. Can not we have the rules enforced?

Mr. LENTZ. But I wish to, and do protest in reference to these—

The CHAIRMAN. The Chair will call the attention of the gentleman from Ohio to the fact that the committee is considering the amendment under the five-minute rule. The gentleman's colleague from Ohio has made the point of order that the remarks of the gentleman are not in order, and the Chair has ruled that they are not in order. The gentleman has insisted on his point of order, and the gentleman is not proceeding in order in debate.

Mr. LENTZ. All I wish to say is that there was no objection when the gentleman from New Jersey [Mr. DALY] was discussing his question, and I do not see why objection should be made in my case.

Mr. SHATTUC. I object simply because I have the right to object.

The CHAIRMAN. It was a matter of unanimous consent.

Mr. LENTZ. I ask unanimous consent that I may be permitted to use the rest of my time in my own way.

The CHAIRMAN. The gentleman from Ohio asks unanimous consent that he be permitted to use the remainder of his time in his own way.

Mr. SHATTUC. I object.

Mr. LENTZ. I ask unanimous consent that I may use the rest of my time with reference to the matter referred to by the gentleman from Ohio [Mr. BROWN].

Mr. SHATTUC. I object.

Mr. LENTZ. I think, as a matter of personal privilege, I have a right to state what I wish to in answer to the gentleman from Ohio.

Mr. BROWN. I make no objection.

Mr. SHATTUC. I object.

Mr. LENTZ. Well, my remarks apply to one of the amendments in this bill.

Mr. SHATTUC. Mr. Chairman, the gentleman's remarks are not germane to the amendment, and I rise to a point of order. I object.

Mr. LENTZ. I am speaking to one of the amendments to the bill.

Mr. SHATTUC. But not to the amendment before the committee.

The CHAIRMAN. The Chair is endeavoring to ascertain whether the gentleman from Ohio is speaking to the amendment. There are three amendments under consideration.

Mr. LENTZ. I rise, Mr. Chairman, to a question of personal privilege. I want to answer the gentleman from Ohio, who has misstated my position.

The CHAIRMAN. That is not a question of personal privilege.

Mr. PAYNE. Mr. Chairman, there is no reason why this whole afternoon should be wasted in this manner. The rule provides what shall be done when a member is not in order; he shall take his seat and shall not proceed.

Mr. LENTZ. I am glad to have the gentleman from New York so gracious and agreeable in his advice. [Laughter.]

The CHAIRMAN. It is the disposition of the Chair to proceed

with the bill in order, and he asks the gentleman from Ohio to assist the committee in this proceeding.

Mr. LENTZ. I am ready to assist the Chair.

The CHAIRMAN. The time of the gentleman from Ohio has expired. [Laughter.]

Mr. HULL. Mr. Chairman, I ask for a vote on the pending amendment.

The CHAIRMAN. The question is on the motion to nonconcur in the Senate amendment.

The question was taken; and the motion was agreed to.

The CHAIRMAN. The Clerk will read the next amendment.

The Clerk read amendment 6.

Mr. HULL. I ask the Committee of the Whole to recommend that this amendment be nonconcurred in.

The motion was agreed to.

The CHAIRMAN. The Clerk will read the next amendment.

The Clerk read Senate amendment 7.

Mr. HULL. Mr. Chairman, in order to have the whole matter in conference, I ask that the committee nonconcur in this amendment.

Mr. SULZER. Mr. Chairman, I want to ask the chairman of the committee if it is the intention of the chairman of the committee to move to nonconcur in all the Senate amendments?

Mr. HULL. I trust that the House will non-concur in all the amendments for this reason: If the House concurs in some and nonconcurs in others, it only ties the hands of the conferees and does not give them a chance to give or take anything in conference.

Mr. HAY. Mr. Chairman, I ask unanimous consent that the committee recommend the House to nonconcur in all these various amendments of the Senate except the one upon which the gentleman from Alabama [Mr. UNDERWOOD] wishes a separate vote.

Mr. UNDERWOOD. Mr. Chairman, I would suggest, as there seems to be no desire to make any fight on any other amendment, that the committee recommend that all the amendments down to 18 be nonconcurred in and that we take a separate vote on amendments 18, 19, and 20.

Mr. HULL. That would be very agreeable to me, Mr. Chairman.

The CHAIRMAN. The gentleman from Alabama moves that the committee recommend that all the amendments except 18, 19, and 20 be nonconcurred in, and without objection, such order will be made.

There was no objection.

Mr. HULL. Now, Mr. Chairman, I ask that amendment 18 be read:

The Clerk read as follows:

SEC. 2. That the senior major-general commanding the Army shall have the rank, pay, and allowances of a Lieutenant-General, and his personal staff shall have the rank, pay, and allowances authorized for the staff of a Lieutenant-General.

Mr. HULL. I move that the committee recommend nonconcurrence in this amendment.

Mr. SULZER. Mr. Chairman, I move to amend by inserting, in line 32, after the word "major-general," the words "of the line."

Mr. HULL. I will say to the gentleman from New York that if I happen to be on the conference committee I will not agree to any report affecting this unless those words are in.

Mr. SULZER. Then, Mr. Chairman, I withdraw the amendment.

The CHAIRMAN. The question is on the motion of the gentleman from Iowa to nonconcur in the amendment.

Mr. UNDERWOOD. Mr. Chairman, I desire to be recognized in opposition to the amendment. The motion of the gentleman from Iowa to nonconcur I agree with, but I think that before the bill now leaves the House a motion should be made to instruct the conferees not to agree to Senate amendments 18 and 19. I have no desire in the world to attempt to delay legislation here which the majority of the House is in favor of, but I think a vote on a question of this kind should be taken when the members of the House are here. If you let this question go to conference under formal motion of a disagreement with the Senate amendment, the chairman of the committee, when he brings back the conference report to the House, can call it up at any hour of the day or night. There is a probability that we may have a night session.

It may be that the conferees may not agree until a late hour, when many members will be absent from the Hall. If that should be so, the friends of this measure will probably be here, as they will know when the conference report will come in, while other members who do not favor the proposition may be absent. For that reason I demanded that this bill should be considered in Committee of the Whole. And I shall insist on the motion to instruct the conferees at this time, when not only the members who favor the proposition, but those who are opposed to it, know that it is coming up here and we can get a fair expression of the sentiments

of the House. If the majority of this House are in favor of this extraordinary way of making General Miles Lieutenant-General and General Corbin major-general, then that is the will of the House and it should be carried out. But let us express that will at a time when the members of the House really understand the proposition that is before them and have a full and fair opportunity to vote on the same.

I do not believe there is any necessity or occasion at this time for making the Commanding General of the Army a Lieutenant-General; nor do I believe that the Adjutant-General of the Army should under any possible circumstances rank the Commander in Chief of the Army, as may occur if this bill should become a law. In that event the day may come, and will come, under this bill, if it is not amended, when Adjutant-General Corbin will himself become the Commander in Chief of the United States Army, by becoming a Lieutenant-General, by virtue of the fact that he will then be the senior major-general of the United States Army; because in the natural order of things if he lives, the present major-generals will all have retired before he reaches the date for retirement; and we shall then have the anomalous position of an Adjutant-General, who is supposed to work under the command of the Commander in Chief, commanding the Commander in Chief of the United States Army. For these reasons I have opposed this measure, and I hope that instructions will be given to the conferees not to agree to the Senate amendments.

Mr. GILLETT of Massachusetts. I think the claim made by the gentleman who has just spoken, that there should be a full House when this measure is acted on, comes with very bad grace from that side of the House. I remember very well that in the Fifty-third Congress—a Democratic Congress—when the proposition to make General Schofield a Lieutenant-General was up, upon a bill reported by a Democratic committee—

Mr. SULZER. I make the point of order that the remarks of the gentleman from Massachusetts [Mr. GILLETT] are not germane to the subject under consideration. "What is sauce for the goose is sauce for the gander."

Mr. GILLETT of Massachusetts. I am discussing the question before the committee.

The CHAIRMAN. The Chair will state that as far as he has followed the remarks of the gentleman from Massachusetts, that gentleman has been discussing the question of the amendment now before the committee.

Mr. GILLETT of Massachusetts. That is exactly what I am discussing. I am discussing the question whether this bill—

The CHAIRMAN. The gentleman from Massachusetts will proceed in order.

Mr. GILLETT of Massachusetts. I will do so. I think, Mr. Chairman, that this amendment should be carried, and I think, in this connection, the past conduct of the Democratic party upon a measure exactly similar—a measure making General Schofield Lieutenant-General—may properly be referred to. In that Congress, as I well remember, the Democratic party in this House tried several times to bring up that measure in a full House and failed.

Mr. DRIGGS. I make the point of order that the gentleman's remarks are not germane to this amendment.

The CHAIRMAN. The Chair can not understand that the gentleman's remarks thus far are not germane to the question, and therefore overrules the point of order. The gentleman will proceed in order.

Mr. GILLETT of Massachusetts. The conduct of a political party relative to a former proposition exactly similar to this is certainly a matter that may well be brought to the consideration of the House for its guidance in this discussion. The fact that the Democratic party has previously taken action on this subject which they now condemn may not perhaps have much weight with the world at large, but it ought to be considered germane and weighty on that side of the House.

Mr. CLARK of Missouri. May I ask the gentleman a question?

Mr. GILLETT of Massachusetts. Certainly.

Mr. CLARK of Missouri. Does this bill simply make the grade of Lieutenant-General apply to General Miles, and is it to lapse when he has retired, or is it to be a perpetuity?

Mr. GILLETT of Massachusetts. As I understand, it is to be a perpetuity.

Mr. CLARK of Missouri. Then I am opposed to it.

Mr. GILLETT of Massachusetts. That, Mr. Speaker, to my mind is one of the advantages of the proposition, because I do not think this promotion should be made, as it was in the case of General Schofield, personal. When that act was passed there were not fifty members in this House. The effort to pass it was made several times unsuccessfully by a committee of the Democratic party, and at last, one morning at 11 o'clock, when there were not fifty members here, the chairman of the Democratic Committee on Military Affairs brought it up and succeeded in passing it.

Mr. HAY. Were you opposed to having General Schofield made a Lieutenant-General?

Mr. GILLETT of Massachusetts. I took the ground then, as I do now, that the senior General Commanding the Army ought always to be a Lieutenant-General, of a rank higher than the generals he was commanding; but that a particular man should not be singled out, as was done in the case of General Schofield, on account of personal favoritism. I thought then as I think now—

Mr. DRIGGS. Do you take the same ground in reference to the Adjutant-General?

Mr. GILLETT of Massachusetts. I am not discussing that question; and if I did so, some courteous gentleman on that side would say I was out of order. The question before the House is with reference to the Lieutenant-General.

Mr. COX. This bill, so far as General Corbin is concerned, does not apply, as I understand, to anybody but him.

Mr. GILLETT of Massachusetts. I understand that it does not.

Mr. COX. Oh, no; it does not apply to anybody but General Corbin.

Mr. GILLETT of Massachusetts. I am not discussing the Adjutant-General at present. I think that the General of the Army should always be a Lieutenant-General; but I thought then, as I think now, that in consideration of the fact that the only generals of the civil war who had been Lieutenant-Generals were Grant, Sherman, and Sheridan, it was not right, after such men as Hancock and Meade and Thomas had gone to their graves as major-generals, to pick out another general, gallant and good officer as he was, and make him Lieutenant-General. I think the senior General Commanding the Army should always be Lieutenant-General, or at any rate should always outrank the officers under him, and I confess I voted for it at this time with the more satisfaction because the person on whom the rank will now be conferred is a soldier so worthy and gallant and accomplished and successful as General Miles.

[Here the hammer fell.]

The CHAIRMAN. Debate on the amendment is exhausted. The question is on the motion of the gentleman from Iowa [Mr. HULL] that the House nonconcur in the Senate amendment. The Chair understands that the gentleman from Missouri desires to move to concur with an amendment. Is the Chair correctly informed?

Mr. UNDERWOOD. I will state that the amendment that I desired to offer was offered by the gentleman from New York [Mr. SULZER]; and the chairman of the committee [Mr. HULL] said that he would not agree to section 18 without that amendment was put in.

Mr. HULL. I would not.

The CHAIRMAN. The gentleman from Missouri [Mr. CLARK] desires to move to concur with an amendment.

Mr. CLARK of Missouri. I want to offer that proviso, to come in at the end of the amendment.

The CHAIRMAN. The Clerk will report the amendment. The Clerk read as follows:

Add at the end of the amendment the following:

"Provided, That when Gen. Nelson A. Miles dies, resigns, or retires, the rank of Lieutenant-General shall lapse."

Mr. CLARK of Missouri. I should like to be heard for a few minutes on that.

Mr. HULL. I will not insist on the debate being closed until after the gentleman is heard.

The CHAIRMAN. The Chair understands the motion of the gentleman from Missouri to be to concur with the amendment which has been reported by the Clerk.

Mr. CLARK of Missouri. Mr. Chairman, I do not want to make any speech about the lieutenant-generalship, but I have one very well settled idea about this matter, without any reference whatever to the personality of General Miles, or anybody else. I regard him as a good soldier, and what little personal relations I have had with him have been pleasant. I believe that the rank of Lieutenant-General is an extraordinary rank, an office of extraordinary importance, and always is or is always to be intended as an extraordinary honor to some soldier, by reason of extraordinary service. I am not undertaking to say whether General Miles is entitled to it or not, but I am opposed to conferring a rank that has never been conferred on any man except George Washington, Winfield Scott, Ulysses S. Grant, William T. Sherman, Philip H. Sheridan, and John M. Schofield upon any man who accidentally, by length of service, however undistinguished, becomes the ranking major-general of the United States Army by seniority—merely that and nothing more.

The history of the Lieutenant-Generalcy in this country is an interesting bit of history. It was first conferred upon General Washington, as a special mark of honor, after he had been President, at the time when a war appeared to be brewing with France. He was not only made Lieutenant-General, but as a further evidence of the love and confidence of the people, he was given unusual authority of appointing his own major-generals and brigadiers—which he did—a performance unparalleled in our annals. The rank of Lieutenant-General lapsed with him, and was never

revived until it was bestowed upon Gen. Winfield Scott many years later.

It lapsed again with him, and was never revived until President Lincoln concluded to place Grant in command of all the Union armies in 1864. Then it was bestowed upon General Sherman and General Sheridan, lapsing with the latter.

After that we had no Lieutenant-General until—during the Fifty-third Congress—the rank was revived for the benefit of Gen. John M. Schofield.

Again it lapsed with his retirement, and we have had no Lieutenant-General since.

The present bill proposes to create the rank of Lieutenant-General in perpetuity, and to that I am unalterably opposed.

Now let us suppose a case. Because we walloped the Spaniards in "jig" time is no reason on earth why, within this generation and in a very few years, we may not have a stupendous war with some power of the first class. Miles will go out in two or three years, as I understand it. Then some major-general, I do not know who and I do not care who, that nobody may think is fit to command the armies of the United States in a time of war, will stand, with the rank of Lieutenant-General, in the pathway of the promotion of the soldiers who distinguish themselves on the field of battle.

The rank of Lieutenant-General is a rank that ought to be held open to confer on the man who wins great military laurels in actual service on the field. There can not be any gainsaying that proposition, and unless you put a limit on it there is some lieutenant in the Army who will begin immediately to use his political influence to-morrow to get himself boosted over his fellows having commissions of the same date as his, in order that he may be the senior captain, major, lieutenant-colonel, colonel, brigadier-general, and major-general, in order to climb to this high rank. I am in favor of restricting it to soldiers of the class who have worn it before, and there is no other sensible view to take of it either.

[Applause.]

Mr. HULL. Mr. Chairman, I call for a vote.

Mr. UNDERWOOD. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The question is on the motion of the gentleman from Missouri [Mr. CLARK].

Mr. UNDERWOOD. A parliamentary inquiry. I understood the Chair to state that the motion of the gentleman from Missouri was to concur with an amendment. As I understood, the gentleman offered a motion to amend the Senate amendment.

Mr. HULL. That would not be in order.

The CHAIRMAN. The Chair will state to the gentleman that that motion would not be in order.

Mr. UNDERWOOD. Mr. Chairman, when we go into the Committee of the Whole, as I understand the parliamentary situation in Committee of the Whole, it is in order to amend a Senate amendment. It was so held by Speaker Carlisle, and it is subject, as I understand parliamentary law, to an amendment in Committee of the Whole. If we were in the House, the only proposition that would be in order would be to concur with an amendment, but we go into Committee of the Whole, as Speaker Carlisle said in his decision, for the purpose of perfecting the amendment for the House to vote on.

Now, Mr. Chairman, it is self-evident that if we have to go into committee here—and the only motion in order is to concur with an amendment—we can not go into Committee of the Whole for the purpose of perfecting the amendment, for, as in this instance, there may be some of us who believe in the proposition offered by the gentleman from Missouri, or who would prefer that proposition to the one coming from the Senate, but who are not willing to concur at all, and it prevents the real sentiment of the House being shown as to the effect of the amendment. We went into the Committee of the Whole so that we could properly perfect these amendments and then vote on them as they are perfected. I think the Chair will recognize that from the ruling of Mr. Speaker Carlisle.

Mr. HULL. Mr. Chairman, I simply want to say at this point that the adoption of this amendment removes the proposition from any possible conference and sends it to the Senate, and if the Senate adopts the amendment of the House it makes the provision absolute law. I think we ought to understand that.

The CHAIRMAN. The gentleman from Alabama [Mr. UNDERWOOD] made a point of order, and the Chair, in ruling, will state that it is not competent to do a thing in committee which the House can not do. This being a conference report upon which the House is to act, the House can nonconcur or can concur with an amendment. This amendment may be submitted to the House as the recommendation of the Committee of the Whole, and may be amended in the Committee of the Whole.

Mr. UNDERWOOD. If the Chair has made up his mind fully on the point, I will have nothing more to say. If not, I should be glad to read from Speaker Carlisle's decision on that proposition.

The CHAIRMAN. The Chair is very clear that his ruling is correct.

Mr. DE ARMOND. I want to be heard a moment, Mr. Chairman.

The CHAIRMAN. The gentleman from Missouri.

Mr. DE ARMOND. Mr. Chairman, the phase of this question before the House now illustrates, I think, very well what we are soon to come to. The present proposition is to make General Miles a Lieutenant-General. The proposition before us was to nonconcur and allow this matter to go to conference. If we nonconcur and it goes to conference, it might be that the Senate would withdraw this amendment or their conferees agree to withdraw it.

It might be that the House conferees would not agree to it. It might be that if they do agree to it the conference report would be beaten when brought to the House. If, however, the motion to concur in the amendment with this amendment is agreed to, then, as the gentleman from Iowa has stated, the matter would be ended.

Now, I for one am opposed to making a Lieutenant-General out of General Miles or anybody else at this time. If this personal promotion is to be made on this amendment, then all the argument against making a personal promotion, when it comes to the next one, will be gone. I think there is no reason why this particular major-general should be picked out and made a Lieutenant-General. Nobody has reflected upon his worth. Nobody has reflected upon his services. But it is not unjust to say of him that his services do not bear comparison with those of the men who heretofore have been Lieutenant-Generals of our Army.

I believe there is no good reason why he should be a Lieutenant-General. I believe there is no good reason why an exception should be made in his case; and I believe, moreover, that if by means of this amendment an exception is made in his case, the case of General Corbin being much like it, that case will be prejudged and determined by it. I think there is no reason why either of these amendments should be adopted, and I think there are abundant good reasons why each of them should be rejected.

Therefore I hope that the amendment offered by my colleague will not be adopted. I hope that the House will not concur in this amendment in any shape or form, and that it will not concur in the amendments to follow it. I hope there will not be any picking out of particular persons without sufficient reason for extraordinary honors, to the prejudice of other men quite as worthy and with no cause for the unjust discrimination.

I hope this amendment will be voted down. I hope this proposition to concur with an amendment will fail. I hope this bill will be sent to conference with the conferees understanding that if it comes back with this amendment in it the conference report will have to take its chances of getting through, and that there will be serious opposition to it.

I hope the suggestion will be carried to the Senate that when legislation totally distinct from any in the bill, legislation entirely independent and having nothing to do with it, is forced into and put upon the bill by the Senate, the House will not tamely acquiesce. At least such favoritism as that shown these two generals, at the expense of other generals, should come into the bill in a regular way, to be considered in a regular way. I hope that the proposition will be voted down and the bill go to conference, and the conferees on the part of the House will understand that there will be opposition here if they agree to this proposition and the one following it, and that such a report can not be carried through the House unless the majority actually are in favor of it.

The CHAIRMAN. The question is upon the amendment.

Mr. CLARK of Missouri. Mr. Chairman, I withdraw the amendment.

Mr. HULL. Then I ask for a vote upon my motion to nonconcur.

The question was taken; and the motion to nonconcur was agreed to.

The CHAIRMAN. The Clerk will report the next amendment. The Clerk read as follows:

Amendment numbered 19:

"SEC. 3. That the Adjutant-General of the Army shall have the rank, pay, and allowances of a major-general in the Army of the United States, and on his retirement shall receive the retired pay of that rank: Provided, That whenever a vacancy shall occur in the office of Adjutant-General on the expiration of the service of the present incumbent the Adjutant-General shall thereafter have the rank, pay, and allowances of a brigadier-general."

Mr. HULL. Mr. Chairman, I move that the committee recommend that the House nonconcur in this amendment. And now, Mr. Chairman, I ask unanimous consent that all debate on this amendment be limited to ten minutes.

Mr. HAY. I will say to the gentleman from Iowa that I wish to ask the committee to agree to an amendment which I propose.

Mr. HULL. To concur with an amendment?

Mr. HAY. No, sir. I want to offer an amendment to the amendment of the Senate, and to nonconcur in the whole amendment. [Laughter.]

Mr. PAYNE. That can not be done.

Mr. HULL. I have already moved to nonconcur, and asked unanimous consent that all debate be limited to ten minutes.

Mr. HAY. I have no objection to that, except I wish to submit an amendment.

The CHAIRMAN. The gentleman from Iowa asks unanimous consent that all debate upon this amendment be limited to ten minutes. Is there objection?

Mr. DRIGGS. I object.

Mr. HAY. I desire to know whether I can offer an amendment to the Senate amendment and instruct the conferees not to concur in any part of the amendment offered by the Senate.

The CHAIRMAN. The Chair will state that the motion to instruct would be more proper in the House, not in the Committee of the Whole.

Mr. HAY. I can not offer an amendment in the House.

The CHAIRMAN. The gentleman has a right to move to concur with an amendment when the bill reaches the House. The Chair understands that the gentleman moves an amendment, and that the House concur?

Mr. HAY. I move that the House nonconcur with the Senate after my amendment is adopted, if it is.

The CHAIRMAN. That motion is in order, and will have precedence. The Clerk will report the amendment.

Mr. HULL. What has become of my request that all debate be closed in ten minutes?

The CHAIRMAN. The Chair understood the gentleman from Virginia objected.

Mr. HAY. I did not object.

Mr. HULL. I do not want to be cut off the floor.

The CHAIRMAN. The Chair understood and clearly heard somebody object.

Mr. DRIGGS. I objected.

The CHAIRMAN. The gentleman from Iowa asks unanimous consent that general debate upon this amendment be limited to ten minutes. Is there objection?

Mr. DRIGGS. Pending that, I would like to ask the gentleman from Iowa that I may talk on the amendment, and as to how I would like to have it acted upon; otherwise I would object.

Mr. HULL. I would not agree to anything about time now.

Mr. DRIGGS. Then I object.

Mr. HULL. Then I move that all debate upon this amendment be closed in ten minutes.

The motion was agreed to.

Mr. HAY. Now I offer the amendment which I send to the Clerk's desk.

The Clerk read as follows:

In line 6, after the word "rank," strike out all down to the end of the section.

Mr. HAY. Now, Mr. Chairman—

Mr. HULL. I raise the point of order that the amendment can not be amended, unless with concurrence.

The CHAIRMAN. The Chair will state that the motion of the gentleman from Virginia is to concur, with this amendment.

Mr. HAY. No, sir.

The CHAIRMAN. The Chair so held; and that it had preference.

Mr. HAY. No, sir; I do not make that motion. I desire to amend the Senate amendment, or, rather, to offer a substitute for the amendment offered by the Senate.

Mr. HULL. Well, Mr. Chairman, I raise the point of order that that can only be done upon concurrence with an amendment.

The CHAIRMAN. The point of order of the gentleman is well taken. It only remains for the House to do two things—to concur or nonconcur with an amendment.

Mr. GROSVENOR. Mr. Chairman, I shall avail myself of the order of the House and place in the RECORD the Army Register's statement of the military career of General Corbin, and I will point out from the official record that General Corbin has served in actual service in field, camp, and bivouac more time than half of the major-generals and brigadier-generals in the Army to-day.

I hold in my hand the official record, which will show that from the time when he entered the Army in 1862 down until he was promoted or appointed in the staff department of the Army he served in the hardest and most onerous and bloodiest department of our service; fought with the Army of the Cumberland, leading his regiment in a desperate charge at Overton Hill, at Nashville, and served ten whole years on the battle line of the Indian wars, suffering privations equal to that of any other man living, and then came to his present position as major in the Adjutant-General's Department.

I know General Corbin; I knew him in the Army; I served in the same command with him. I know exactly what I am talking about; and a more unselfish, a more self-sacrificing soldier never wore the blue of the American Army.

I knew Corbin when he was a young and ambitious soldier, entering the service at the very early age of 18 years, and I have known him ever since. In this connection, I print for the benefit

of the public his full military record, including the unfortunate difficulty that he had during the war which resulted in his trial by court-martial, and which resulted in a finding and judgment of the court that I have never seen before.

In this, instead of merely finding him "not guilty," they go further and say: "The court does therefore most honorably acquit him, the said Lieut. Col. H. C. Corbin, Fourteenth United States Colored Infantry;" and yet heartless ghouls, men who never lifted a sword or fired a shot in behalf of the Government, men with souls as sordid as the darkness of the pit, have sought to injure the reputation of this magnificent soldier. Let the people read this record, Mr. Chairman, and then I will venture this interrogatory: Standing as we are at a point where those who helped to save their country in 1861-1865 are rapidly moving off the stage of action, how many of them all, how many of all of us can point to a record so brilliant, so splendidly brilliant, as can this young Ohio soldier?

MEMORANDUM OF THE MILITARY SERVICE OF BRIG. GEN. HENRY C. CORBIN
UNITED STATES ARMY, ADJUTANT-GENERAL.

Henry C. Corbin, a native of Ohio (born September 15, 1842), entered the volunteer service of the United States during the war of the rebellion as a second lieutenant in the Eighty-third Ohio Volunteer Infantry July 28, 1862, but before the organization was completed he was assigned to the Seventy-ninth Ohio Volunteer Infantry, serving therein as second and first lieutenant, respectively, until November 14, 1863, when he was appointed a major of the Fourteenth United States Colored Infantry, having been examined and found qualified by a board of officers.

In the following year (March 4, 1864) he was promoted to Lieutenant-colonel, and September 23, 1865, made colonel of the Fourteenth United States Colored Infantry. (See Appendix A.) He was honorably discharged from the volunteer service March 29, 1866, with the brevet of brigadier-general, which honorary rank was bestowed upon him ten days prior to muster-out in recognition of meritorious services.

With the exception of a brief service with the Army of the Ohio (July 23 to November, 1862), he served with his command in the Army of the Cumberland, and participated in the defenses of Nashville, Tenn.; at Pulaski, Tenn.; Dalton, Ga.; Decatur, Ala.; the battle of Nashville, Tenn.; in the pursuit of Hood's army, and in several minor engagements during December, 1864, and January, 1865. In the winter of 1863-64 he commanded an expedition to the Sequatchie Valley against the rebel guerrilla Hughes, driving him from that country.

For "gallant and meritorious services at Decatur, Ala.," the brevet of major was conferred; and for "gallant and meritorious services at the battle of Nashville, Tenn.," he received a brevet of lieutenant-colonel. (See Appendix B.)

Upon the recommendation of his military commanders, and those who had the opportunity to judge of his ability as a soldier and his fitness for command (see Appendix C), he was commissioned (May 11, 1866) a second lieutenant in the Regular Army and assigned to the Seventeenth United States Infantry. He was appointed to a captaincy (in which grade he served fourteen years) and assigned to the Thirty-eighth United States Infantry, December 31, 1866, and from that year to 1870 was continuously in command of his company at stations in the West, engaged in Indian campaigning and frontier service, mostly in Arizona, New Mexico, and Texas; and conducted his company via the old Santa Fe trail from Fort Riley, Kans., to the mouth of the Rio Grande. (See Appendix D for detailed service in the line.)

June 16, 1880, he was appointed to the Adjutant-General's Department, and has served therein nine years in the grade of major, seven years in the grade of lieutenant-colonel, and two years in the grade of colonel, and was when appointed Adjutant-General of the Army (February 25, 1888) the senior colonel in the Department. (For detailed statement of service in the staff, and official reports of superior commanders, see Appendix E.)

During the Spanish-American war he was tendered the commission of major-general of volunteers, which was declined.

MARCH, 1900.

APPENDIX A.

HEADQUARTERS DEPARTMENT OF THE EAST,
New York City, August 12, 1865.

Hon. E. M. STANTON,
Secretary of War.

SIR: Allow me to recommend the promotion of Lieut. Col. Henry C. Corbin of the Fourteenth United States Colored Infantry to the colonelcy of that regiment to your favorable consideration. Colonel Corbin served with his regiment, often in command of it, near the encampment of my corps while in the vicinity of Chattanooga, when a good opportunity was offered me to judge of his capacity and fitness for command. He was always faithful in the performance of his duties, and in his relations with his men considerate, just, and firm. I regard him as a valuable officer and especially qualified for that branch of the service in which he is employed.

Very respectfully, your obedient servant,

JOSEPH HOOKER,
Major-General, Commanding.

A true copy.
H. C. CORBIN,
Brevet Brigadier-General Volunteers.

HEADQUARTERS DEPARTMENT OF GEORGIA,
PROVOST-MARSHAL-GENERAL'S OFFICE,
Augusta, Ga., July 31, 1865.

Hon. E. M. STANTON,
Secretary of War, Washington, D. C.

SIR: Learning that a vacancy is about to occur in the office of colonel of the Fourteenth Regiment United States Colored Infantry, I take the liberty of inviting your attention to the claims of Lieut. Col. Henry C. Corbin, of that regiment, to the above position.

Lieutenant-Colonel Corbin has been a long time in the service, and most of the time in active service, and his regiment, the Fourteenth United States Colored Infantry, is perhaps the best drilled and disciplined regiment of any of that arm of the service in this division of the Army, much of which is due to the energy and efficiency of Lieutenant-Colonel Corbin.

I am, very respectfully, your obedient servant,

C. H. GROSVENOR,
Bvt. Brig. Gen. and P. M. G., Dept. Ga.

HEADQUARTERS POST, Chattanooga, Tenn., August 13, 1865.

GENERAL: I have the honor to inform you that Lieut. Col. Henry C. Corbin, Fourteenth United States Colored Infantry, possesses every requisite necessary to a first-class officer. His ability, integrity, and valor are undoubted; in consequence of which he enjoys the confidence and esteem of every commanding officer connected with the Corps d'Afrique, in the Department of the Tennessee.

In view of the above, I do very respectfully and cheerfully recommend that Lieut. Col. Henry C. Corbin be promoted to the colonelcy of his regiment. Lieutenant-Colonel Corbin justly claims the honor of bringing his regiment up to its present high standard.

Very respectfully, your obedient servant,

WM. B. GAW,

Colonel Sixteenth United States Colored Infantry, Commanding Post.

Official:

W. JOSH VANCE,

First Lieutenant and Adjutant,

Fourteenth United States Colored Infantry.

HEADQUARTERS SECOND BRIGADE,
DIVISION OF EAST TENNESSEE,
Chattanooga, Tenn., August 23, 1865.

The colonelcy of the Fourteenth United States Colored Infantry having been vacant by the discharge of Colonel Morgan, I take this opportunity of certifying to the eminent qualifications of Lieut. Col. H. C. Corbin, of the same regiment, as an officer and a gentleman, whom I deem well fitted to fill the vacant position. I have known Lieutenant-Colonel Corbin for a long time; have served with him in camps, on the march, and in action. I have always found him the same, ever attentive to his duties, and constantly looking out for the welfare of his command and the interests of the service. From my former connection with him as his commanding officer I am enabled to say that the good condition of the Fourteenth United States Colored Infantry is principally due to his energetic exertions. I take pleasure in recommending him for promotion to a position which, in my opinion, he is so admirably qualified to fill, and to which his long and valuable services would seem to entitle him.

Very respectfully,

L. JOHNSON,

Official copy:

W. JOSH VANCE,

First Lieutenant and Adjutant,

Fourteenth United States Colored Infantry.

CAMP FOURTEENTH UNITED STATES COLORED INFANTRY,
Knoxville, Tenn., August 24, 1865.

Brig. Gen. L. THOMAS,
Adjutant-General, United States Army.

GENERAL: We, the undersigned officers of the Fourteenth United States Colored Infantry, do hereby most respectfully petition that Lieut. Col. Henry C. Corbin, Fourteenth United States Colored Infantry, be appointed colonel of the above-mentioned regiment, vice Thomas J. Morgan, resigned.

Nick J. Vail, major, Fourteenth United States Colored Infantry; A. H. Rolph, captain, Fourteenth United States Colored Infantry; E. Munk, captain, Fourteenth United States Colored Infantry; S. F. Curtis, captain, Fourteenth United States Colored Infantry; A. C. Snyder, captain, Fourteenth United States Colored Infantry; F. J. Cressy, captain, Fourteenth United States Colored Infantry; Wm. Wyll, captain, Fourteenth United States Colored Infantry; W. Tear, first lieutenant, Fourteenth United States Colored Infantry, and regimental quartermaster; D. K. Hassler, first lieutenant, Fourteenth United States Colored Infantry, and adjutant; O. A. Loomis, first lieutenant, Fourteenth United States Colored Infantry; G. P. Thornton, first lieutenant, Fourteenth United States Colored Infantry; H. H. Guernsey, first lieutenant, Fourteenth United States Colored Infantry; F. McNeill, first lieutenant, Fourteenth United States Colored Infantry; J. A. Mitchell, first lieutenant, Fourteenth United States Colored Infantry; O. Jones, first lieutenant, Fourteenth United States Colored Infantry; D. A. Cunningham, first lieutenant, Fourteenth United States Colored Infantry; J. Frank Miller, first lieutenant, Fourteenth United States Colored Infantry; John De Laney, second lieutenant, Fourteenth United States Colored Infantry; W. Josh Vance, second lieutenant, Fourteenth United States Colored Infantry; Alexander Recker, second lieutenant, Fourteenth United States Colored Infantry; S. S. Jackson, first lieutenant, Fourteenth United States Colored Infantry; M. Block, assistant surgeon, Fourteenth United States Colored Infantry; W. H. Greene, assistant surgeon, Fourteenth United States Colored Infantry.

A true copy:

W. JOSH VANCE,

First Lieutenant and Adjutant,

Fourteenth United States Colored Infantry.

Proceedings of a board of officers appointed in pursuance to the following order, viz:

[Special Order No. 54]

HEADQUARTERS DEPARTMENT OF TENNESSEE,
Knoxville, Tenn., August 25, 1865.

[Extract.]

IV. A board of officers is hereby appointed to examine and report upon the qualifications of officers of the Fourteenth United States Colored Infantry who may present themselves as candidates for appointment to the colonelcy of that regiment made vacant by the resignation of Col. T. J. Morgan.

Detail for the board: Col. L. Johnson, Forty-fourth United States Colored Infantry; Col. P. H. Keegan, Eleventh Michigan Volunteer Infantry; Capt. Frank G. Tullidge, Fifty-seventh Indiana Veteran Volunteers, and assistant inspector-general, Department of Tennessee.

By command of Major-General Stoneman:

B. H. POLK,
Assistant Adjutant-General.

In pursuance to the above orders, the board convened at Knoxville, Tenn., August 28, 1865. Present: Col. L. Johnson, Forty-fourth United States Colored Infantry; Col. P. H. Keegan, Eleventh Regiment Michigan Volunteer Infantry, and Capt. Frank Tullidge, Fifty-seventh Indiana Veteran Volunteers and assistant inspector-general, Department of Tennessee.

The board then proceeded to the examination, theoretically, of Lieut. Col. H. C. Corbin, Fourteenth United States Colored Infantry, as to his fitness and qualifications to the colonelcy of the Fourteenth United States Colored

Infantry, and after due consideration it is the opinion of the board that Lieut. Col. H. C. Corbin, Fourteenth United States Colored Infantry, is in every respect well qualified to fill the position of full colonel of colored troops, his attainments, energy, and experience well fitting him for that grade.

No other officers presenting themselves, the board then adjourned sine die.

L. JOHNSON,

Colonel Forty-fourth United States Colored Infantry.

P. H. KEEGAN,

Colonel Eleventh Michigan Volunteer Infantry.

FRANK G. TULLIDGE,

Capt., Fifty-seventh Ind. Vol. Inf'y.

and Assistant Inspector-General, Department of Tennessee.

Bvt. Col. B. H. POLK,
Assistant Adjutant-General, Department of Tennessee.

[Letter head of First National Bank.]

TOLEDO, OHIO, January 23, 1867.

DEAR SIR: At the request of Henry C. Corbin, Lieutenant, Seventeenth Infantry, United States Army, late colonel Fourteenth United States Colored Infantry and brevet brigadier-general, United States Volunteers, I have the honor to present a statement of his services while under my command at Decatur, Ala., during the attack on that place by General Hood October 26 to 29, inclusive. He was lieutenant-colonel of the Fourteenth United States Colored Infantry, and rendered very efficient service and distinguished himself in the charge made by his regiment October 28, which was made at his suggestion and was a very brilliant one.

I am, respectfully, your obedient servant.

CHS. C. DOOLITTLE,

Late Brigadier-General and Brevet Major-General,

United States Volunteers.

Hon. E. M. STANTON,
Secretary of War.

NEW YORK, January 17, 1867.

DEAR SIR: I have the honor to command Henry C. Corbin, lieutenant, Seventeenth United States Infantry, for promotion by brevet to such rank in the Army of the United States as one of the most faithful of volunteer colonels deserves. Lieutenant Corbin served with his regiment under my command in Tennessee, and discharged his duties with great fidelity.

Very respectfully,

CLINTON B. FISK,

Late Brevet Major-General, United States Volunteers.

Hon. E. M. STANTON,
Secretary of War, Washington, D. C.

APPENDIX B.

WAR DEPARTMENT, Washington, October 31, 1867.

SIR: You are hereby informed that the President of the United States has appointed you, for gallant and meritorious services at Decatur, Ala., a major by brevet in the service of the United States, to rank as such from the 2d day of March, 1867; should the Senate, at their next session, advise and consent thereto, you will be commissioned accordingly.

Immediately on receipt hereof, please to communicate to this Department, through the Adjutant-General of the Army, your acceptance or nonacceptance; and with your letter of acceptance return the oath herewith inclosed, properly filled up, subscribed, and attested, and report your age, birthplace, and the State of which you were a permanent resident.

U. S. GRANT,

Secretary of War ad interim.

Bvt. Maj. H. C. CORBIN,

United States Army, Fort Craig, N. Mex.

WAB DEPARTMENT, Washington, October 31, 1867.

SIR: You are hereby informed that the President of the United States has appointed you, for gallant and meritorious service at the battle of Nashville, Tenn., a lieutenant-colonel by brevet, in the service of the United States, to rank as such from the 2d day of March, 1867; should the Senate, at their next session, advise and consent thereto, you will be commissioned accordingly.

Immediately on receipt hereof, please to communicate to this Department, through the Adjutant-General of the Army, your acceptance or nonacceptance; and with your letter of acceptance return the oath herewith inclosed, properly filled up, subscribed, and attested, and report your age, birthplace, and the State of which you were a permanent resident.

U. S. GRANT,

Secretary of War ad interim.

Bvt. Lieut. Col. H. C. CORBIN,
United States Army, Fort Craig, N. Mex.

APPENDIX C.

HEADQUARTERS POST, Chattanooga, Tenn., March 21, 1868.

GENERAL: I have the honor to recommend Col. H. C. Corbin, Fourteenth United States Colored Infantry, to your favorable consideration. The Colonel seeks an appointment in the Regular United States Army, and if so appointed the service would obtain a young man of sobriety, industry, and efficiency.

I hope he may be successful in obtaining the desired appointment.

Very respectfully, your obedient servant,

WM. B. GAW,

Colonel Sixteenth United States Colored Infantry.

Maj. Gen. GEO. H. THOMAS,
Commanding Military Division of the Tennessee.

[First endorsement.]

HEADQUARTERS DIVISION OF EAST TENNESSEE, March 24, 1868.

Respectfully forwarded, approved, and recommended. Whilst under my command Colonel Corbin has maintained discipline and efficiency in his regiment.

ALVAN C. GILLEM,

Major-General, United States Volunteers.

[Second endorsement.]

HEADQUARTERS MIDDLE DIVISION TENNESSEE,
Nashville, March 31, 1868.

Respectfully forwarded approved. General Gillem and Colonel Gaw have been the immediate commanders of Colonel Corbin for nearly a twelvemonth past, which gives their recommendation much weight.

GEO. H. THOMAS,

Major-General, U. S. A., Commanding.

HEADQUARTERS DISTRICT OF EAST TENNESSEE,
Chattanooga, Tenn., January 1, 1866.

To the Adjutant-General United States Army.

GENERAL: I beg leave to recommend to your favorable notice for appointment in the United States Army Col. Henry C. Corbin, Fourteenth United States Colored Infantry. Colonel Corbin is a young man (but 23 years old) of good education; a good tactician and disciplinarian; has his regiment in fine condition—probably the best in this command; with experience would, I think, make a good officer in the regular service. He has served since early in 1862 as a commissioned officer. His habits are unexceptionable.

Very respectfully,

ALVAN C. GILLELM,
Major General.

LOUISVILLE, KY., September 6, 1866.

The SECRETARY OF WAR:

Permit me to recommend to your favorable consideration the application of Henry C. Corbin, late colonel of the Fourteenth United States Colored Infantry, and brevet general. He was a lieutenant of the Seventy-ninth Ohio, one of my regiments, and was one of my best officers—intelligent, brave, energetic, and skillful. I parted with him with deep regret when transferred to the Fourteenth. He managed said regiment in a masterly manner and made thorough soldiers of them, having them drilled perfectly and fighting them with honor to himself and to them. I am satisfied that no better appointment can be made to command one of the regular colored regiments than this applicant. I therefore warmly recommend his appointment, feeling that the public interest — promoted by said appointment and justice done a meritorious officer.

W. T. WARD,
Late Brevet Major-General.

HEADQUARTERS DEPARTMENT OF TENNESSEE,
OFFICE PROVOST-MARSHAL-GENERAL,
Knoxville, Tenn., October 15, 1865.

DEAR GENERAL: I write you this note in behalf of Bvt. Brig. Gen. Henry C. Corbin, colonel Fourteenth United States Colored Infantry, who desires an appointment in the Regular Army. General Corbin has been in the Army since July, 1862, and, from reputation and what I know of him personally, has always proved himself a fine soldier and a brave man. He was with you in the chase after Forrest. He is a warm personal friend of mine, and I ask it on old scores that you do what you can for him. He will reflect creditably upon any position your recommendation may aid him to procure. You will never regret any influence you may use in his behalf.

I am, General, very respectfully,

B. H. POLK,
Assistant Adjutant-General.

Maj. Gen. L. H. ROUSSEAU.

[Indorsement.]

Respectfully forwarded. I recommend Colonel Corbin to have been an excellent soldier, and I am sure he would do credit to himself and render valuable service to the Government if appointed to a place in the Regular Army.

L. H. ROUSSEAU.

AUGUST 21, 1866.

HEADQUARTERS DISTRICT OF HUNTSVILLE,
Huntsville, Ala., April 1, 1866.

SIR: I have the honor most respectfully to recommend Col. Henry C. Corbin, Fourteenth Regiment United States Colored Infantry, for appointment in the Army of the United States. As his superior and commanding officer for a length of time, I am enabled to say that I deem him eminently fit to hold a position in the permanent military establishment of the country, and that he will fill the same with credit to the service and himself.

Colonel Corbin has participated with his command in a number of engagements, he being nearly always in command (even while lieutenant-colonel); and his conduct, especially at the battle of Nashville and the pursuit of Hood's army, was meritorious and creditable.

During the organization of his regiment he rendered most efficient services, and to his efforts is mainly due the good condition of his command with reference to drill and discipline.

It gives me great pleasure to give testimony regarding Colonel Corbin's military capacity and I hope and respectfully request that this recommendation receive such consideration as it may merit.

Very respectfully, your obedient servant,

L. JOHNSON,
Colonel Forty-fourth United States Colored Infantry,
Late Commanding First Colored Brigade, Army of the Cumberland.

ADJUTANT-GENERAL U. S. A.

Washington, D. C.

APPENDIX D.

Service in the line.—Second lieutenant, Seventeenth Infantry, May 11, 1866; accepted August 20, 1866; captain, Thirty-eighth Infantry, July 23, 1866; accepted December 31, 1866; transferred to Twenty-fourth Infantry November 11, 1866.

As second lieutenant of the Seventeenth Infantry, from September 3, 1866, at Fort Gratiot, Mich., and Independence, Mo., to October, 1866; recruiting for the Tenth Cavalry, at Fort Leavenworth, Kans., to November, 1866. Accepted appointment as captain of the Thirty-eighth United States Infantry, December 31, 1866; with company and en route to and at Austin, Tex., to January 2, 1867; en route and on delay to February 18, 1867; on regimental recruiting service, Nashville, Tenn., to June, 1867.

Rejoined the Thirty-eighth Infantry, July 6, 1867, and served with it on frontier duty Fort Hays, Kans., guarding overland stage road against hostile Indians, to September 4, 1867; on march to and at Fort Craig, N. Mex., to February 2, 1868, being engaged on a scout to the Rio Tolomas in September, 1868; on the march to and at Fort Bayard, N. Mex., to October 4, 1868, being in command of an expedition after Apache Indians, near the Gila River, March 18 to April 1, 1869, and being engaged in the action with the Indians and destroying their camp at San Francisco Mountains, New Mexico, March 28, 1869, and in action with Indians near Fort Bayard, N. Mex., September 29, 1869. On march to and at Fort Clark, Tex., to June 24, 1871, being engaged in surveying and building wagon road from Fort Clark to Fort McKavett, Tex., and on a scout to Beaver Lakes, Texas, August 23 to September 14, 1870; on the march to and at Fort McKavett, Tex., June 28, 1871, to September 25, 1872; at Fort Brown, Tex. (at Point Isabel, Tex., August 18 to October 7, 1875), to February 14, 1876.

With company at Fort Ringgold, Tex., to September 9, 1876; on duty at Columbus Barracks, Ohio, October 5 to 19, 1876; commanding detachment

and post of Aiken, S. C., October 24, 1876, to January 11, 1877; on duty at Columbus Barracks, Ohio, to March 1, 1877; on duty at the Executive Mansion to May 25, 1877. Was appointed secretary of the Sifting Bull Commission, going north as far as Fort McLeod, Northwest Territory, to November 24, 1877. December, 1877, was detailed on recruiting service in Washington, D. C., to June 18, 1880.

APPENDIX E.

Service in the Adjutant-General's Department.—Major, assistant adjutant-general, June 16, 1880; accepted June 18, 1880; lieutenant-colonel, assistant adjutant-general, June 7, 1889; colonel, assistant adjutant-general, May 23, 1890; brigadier-general, adjutant general, February 25, 1898; accepted February 25, 1898.

Appointed major and assistant adjutant-general June 16, 1880, and on duty in the Adjutant General's Office to September 1, 1882; was special aid to General Hancock, acting master of ceremonies and secretary of the Yorktown Centennial Commission, in October, 1881; assistant adjutant-general, Department of the South, September 4, 1882, to November 1, 1883; assistant adjutant-general, Division of the Missouri, November 20, 1883 (being absent in the field with General Miles in Indian Territory, July 12 to 26, 1885, and at Pine Ridge Agency, S. Dak., during the Sioux campaign, January 4 to 22, 1891) to March 7, 1891; adjutant general, Department of Arizona (in the field, in connection with the disturbances at the Moqui Indian villages, June 25 to July 9, 1891), to December 2, 1892; on duty in the Adjutant-General's Office, Washington, from December 8, 1892, until October 16, 1895; adjutant-general, Department of the East, October 16, 1895, to September 22, 1897, and on duty in Office of the Adjutant-General, Washington, September 23, 1897, to February 25, 1898, when appointed Adjutant-General of the Army.

Summary of efficiency reports relating to General Corbin, filed in the War Department, which were made by his superior officers, prior to his acceptance of commission as Adjutant-General (February 25, 1898).

Gen. C. McKeever, Acting Adjutant-General (June 30, 1890):

"Attention to duty and general conduct excellent. A good staff officer. Competent for detail; suited to his position in the Adjutant-General's Office. A faithful and meritorious officer."

Maj. Gen. J. M. Schofield (June 30, 1890):

"Attention to duty and general conduct good. Able and judicious. Has shown special ability in the management of large bodies of all sorts and conditions of men. Would be a good selection for any unusual service which might be required of an Army officer."

Brig. Gen. A. McD. McCook, commanding Department of Arizona (June 30, 1891):

"General summary excellent. Has zeal and ability in his profession. Marked ability for any military duty imposed upon him. This officer by his devotion and attention to duty makes an efficient adjutant-general of the department."

The Adjutant-General (June 30, 1895):

"General summary of report is excellent. Should be intrusted with important duties requiring judgment and discretion."

Maj. Gen. W. Merritt, Department of East (June 30, 1897):

"Summary excellent. Can be trusted with important duties. Is qualified for his position. Fitted for the duties of his department. Colonel Corbin is second senior colonel in his department, and in due time is well worthy and fitted to be at its head."

APPENDIX F.

WAR DEPARTMENT, Washington, February 19, 1900.

SIR: I beg to call your attention to a communication—a copy of which is enclosed herewith—sent by my predecessor to your committee on the 5th of July, 1898, in regard to a bill then pending before Congress fixing the rank of the Adjutant-General of the Army and providing that that officer should have the rank of major-general. I understand that the bill passed the Senate at that session, but failed to receive final consideration in the House before the time of adjournment.

I inclose a draft of a bill containing such a provision, and I earnestly recommend its passage. The rank which would thus be conferred upon the Adjutant-General would conform to the usual practice among other nations and among the States of our Union which have an organized militia system, and it would conform to the relative importance, responsibilities, and requirements of the office and of the duties which the Adjutant-General is called upon to perform. At the time of the act of August 3, 1861, when the rank of brigadier-general was established as the rank to be held by the Adjutant-General, most of the chiefs of the staff departments ranked as colonels.

Since that time they have been successively elevated to the rank of brigadier-general, and at the present time the rank of the Adjutant-General among the heads of the staff departments depends solely upon the date of his commission. He is now seventh in order of rank among the eleven heads of the staff departments.

There can be no question that in the past the administration of the War Department has suffered from having a number of chiefs of bureaus, all with substantially equal rank, and frequently not working to a common purpose. The office of the Adjutant-General is the proper medium through which the action of these various bureaus should be coordinated and unified. It is the proper central point of military administration. The successful conduct of such administration would be greatly promoted by the change now proposed.

Very respectfully,

ELIHU ROOT, Secretary of War.

The CHAIRMAN OF THE COMMITTEE ON MILITARY AFFAIRS,

House of Representatives.

[Inclosure.]

A bill fixing the rank of the Adjutant-General of the Army.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Adjutant-General of the Army shall have the rank, pay, and allowances of a major-general in the Army of the United States.

WAR DEPARTMENT, Washington, July 5, 1898.

SIR: The bill (S. 4851) fixing the rank of the Adjutant-General of the Army, having been referred for report, the following remarks and recommendation are submitted:

The Adjutant General is the immediate executive officer of the Secretary of War. The Commanding General of the Army, and not infrequently the Commander in Chief, and is, under the law, charged with all that relates to the organization of the volunteer forces and the recruitment of the Army. The work so recently done has been of a character calling for the highest order of executive ability and professional information. This work, now accomplished, calls for substantial recognition.

Attention is called to the fact that the adjutants general of the States, with whom the Adjutant-General of the Army is in frequent, and, in time of

war, almost constant communication, have, in many cases, the rank of major-general, and it would seem that the Adjutant-General of the Army should have at least equal rank.

The rank of brigadier-general was fixed at an early period as the appropriate rank for the Adjutant-General of the Army, but experience has taught all military nations that this office should be clothed with much higher rank; to this ours should be no exception.

In all countries, such as England, Germany, Russia, France, Austria, Italy, and even Japan, Spain, and Belgium, the rank of major-general or field-marshall is conferred upon the adjutant-general, or, as he is sometimes termed, "chief of staff."

While the country is engaged in a war of no small magnitude it is a fitting time to confer upon the Adjutant-General the grade of major-general.

All orders involving, as they do, the organization and movement of troops, appointment and promotion of officers, the establishment of posts, and the adjustment of the multitude of questions arising in connection therewith, must be prepared and issued under his immediate direction.

The necessity for accuracy of records, fairness and justness of decision, and administration of all things pertaining to the whole Army, regulars and volunteers, for use in the settlement of pensions and miscellaneous claims arising from the existence and campaigns of the Army, is manifest.

In the immediate past, the Adjutant-General has been suddenly called upon to supervise and direct, under the Secretary of War, the organization of an Army of over 250,000 men. The necessity for investing the Adjutant-General with higher rank has become most pronounced during the emergency.

The passage of this bill is earnestly recommended.

Very respectfully,

R. A. ALGER, Secretary of War.

The CHAIRMAN MILITARY COMMITTEE,

United States Senate.

APPENDIX G.

The Adjutant-General to Senator Davis.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,

Washington, March 6, 1900.

HON. CUSHMAN K. DAVIS,
United States Senate.

DEAR SIR: My attention has been called to certain newspaper reports purporting to set forth extracts from a "memorial" that is said to have been transmitted to you, which are in the nature of charges affecting my record as an officer of the Army.

So far as those statements or any others may be deserving of consideration or attention, I desire to place myself at your command in aiding you to make a searching examination of my record as a soldier, with a view to ascertaining all the truth, and I wish to say in all earnestness, if a search reveals to you a suggestion of unworthiness, I will close the discussion, so far as I am concerned, by authorizing you to present my resignation from the service to the President.

I believe in disposing of radical evils with quick remedies; and, so far as lies in my power, this rule is followed in the administration of the Adjutant-General's Department, and I shall not shrink from having the same rule applied to my own case.

It is my duty as Adjutant-General of the Army to afford you, and through you, the Congress, all facilities for full and complete information on any question affecting the efficiency of the military service, in part or in whole.

I have the honor to hand you herewith an official copy of General Orders No. 6, Headquarters First Separate Division, Army of the Cumberland, dated March 14, 1865, promulgating the proceedings and findings of the general court-martial resulting from trial on all allegations; and your especial attention is invited to the unusual expression of the court in its findings, to wit: "Most honorably acquit." That the court was composed of officers of experience and high character goes without saying, and that its proceedings, findings, and approval were in all respects regular and lawful has never been questioned.

Your attention is also invited to a copy of the official report (inclosed herewith) of the engagements of the Fourteenth United States Colored Infantry in and about Decatur, Ala., during the latter part of the month of October, 1864 (printed in volume 20, part 1, pages 714 to 716, of the Records of the Union and Confederate Armies, War of the Rebellion), which report is signed by the officer who later preferred the charges upon which I was tried, one of which related to that time and place.

I feel confident that to one of your long experience as a public officer and your high sense of justice, the official records herewith brought to your attention will not permit you to be misled, nor to accept as truthful the statements which are reported to be contained in the "memorial" referred to.

If, however, you desire to make further examination into my record, I will gladly give you any assistance in facilitating an examination of the records made, day by day, from the time when, as a lad of 19, I left my father's farm in southern Ohio and entered the Volunteer Army. I am now closing my thirty-eighth year of continuous service—a service, modest though it has been, I claim to have been honest and faithful. My service in the Volunteer Army covered nearly four years, having in that time held commissions of six grades, from second lieutenant to and including that of colonel, with brevet of brigadier-general, from all of which I was honorably discharged. Not only this, but General Grant, while Secretary of War ad interim (two years after the trial herein discussed had been of record in the War Department), conferred upon me, by authority of the President, two brevets, one of major, for gallant and meritorious conduct in the battle of Decatur, Ala., and another of lieutenant-colonel, for like service in the battle of Nashville (copies of which are inclosed), covering the exact dates set forth in the specifications to the charges tried.

Following my discharge from the volunteer service I was appointed a second lieutenant in the Regular Army, and in July, 1866, was appointed a captain in one of the new regiments, and so far as I am aware, without the solicitation of any influence outside of the military service. I had been an officer of the Army more than fourteen years before I had the honor of a personal acquaintance of any member of Congress, or any one else in touch with the authorities in Washington. My first ten years in the Regular Army were spent with my company in the then remote Western States and Territories of Kansas, Colorado, New Mexico, Arizona, and Texas, having in that time marched in different expeditions against hostile Indians and changes of station from Fort Riley, Kans. (then the western terminal of the railroads leading to the West), to Fort Brown, at the mouth of the Rio Grande—the distance traversed and difficulties of this service being fully understood only by those who have had the experience.

During all these ten years I was never absent from duty a single day from any cause whatever. I served fourteen years as a captain of infantry, and in the Adjutant-General's Department, nine years in the grade of major, seven years in the grade of lieutenant-colonel, and two years in the grade of colonel, and, at the time of my appointment as Adjutant-General, was the senior colonel in the Department. Your attention is also invited to the fact that the President tendered me the commission of major-general of volunteers, which I had the honor to decline, so that all these offices (limited in number by law)

might be given to officers serving with troops in the field. I have now served in the Regular Army more than a third of a century, and I have been absent from duty from any cause less than thirty days.

This appeal to you is made in the name of justice, and I am confident that it is not made in vain.

Very respectfully,

H. C. CORBIN, Adjutant-General.

[General Orders, No. 6.]

HDQRS. FIRST SEPARATE DIVISION ARMY OF THE CUMBERLAND,

Chattanooga, Tenn., March 14, 1865.

I. Before a general court-martial which convened at Chattanooga, Tenn., pursuant to Special Order No. 20 from headquarters First Separate Division Army of the Cumberland and of which Col. L. Johnson, Forty-fourth Regiment United States Colored Infantry, is president, was arraigned and tried. First Lieut. Col. Henry C. Corbin, Fourteenth Regiment United States Colored Infantry, on the following charges:

Charge first.—Cowardice.

Charge second.—Misbehavior before the enemy in violation of the thirty-second article of war.

Charge third.—Conduct unbecoming an officer and a gentleman.

Charge fourth.—Conduct prejudicial to good order and military discipline.

Findings of the court: Not guilty.

The court does therefore most honorably acquit him, the said Lieut. Col. H. C. Corbin, Fourteenth United States Colored Infantry.

III. The proceedings and findings of the general courts-martial in the foregoing cases of Lieut. Col. Henry C. Corbin and * * * Fourteenth United States Colored Infantry, are approved and confirmed.

Lieutenant-Colonel Corbin and * * * will accordingly be released from arrest and returned to duty.

By command of Major-General Steedman:

S. B. MOE,

Major and Assistant Adjutant-General.

Report of Col. Thomas J. Morgan, Fourteenth United States Colored Infantry:

HEADQUARTERS FOURTEENTH U. S. COLORED INFANTRY,

Decatur, Ala., October 31, 1864.

LIEUTENANT: I have the honor to submit the following report of the operations of the Fourteenth United States Colored Infantry, in the defense of Decatur, Ala., on the 27th, 28th, 29th, and 30th days of October, 1864:

The regiment came to Stevenson, Ala., from Chattanooga, Tenn., in obedience to orders from Maj. Gen. James B. Steedman, and from Stevenson to Decatur, by command of Brig. Gen. R. S. Granger, arriving in Decatur, Ala., on Thursday, 4 p. m., October 27. A detachment under Lieutenant-Colonel Corbin was stationed on the north side of the river to protect a section of artillery turned over to Maj. N. J. Vail.

I can only speak in praise of the officers who assisted in the work. Lieutenant-Colonel Corbin, Adjutant Avery, and Sergt. Maj. George Griffith did excellent work. No officer failed to discharge his duty. During the night of the 28th Lieutenant-Colonel Corbin, in charge of 250 men, picketed the left of the line and annoyed the enemy, who spent a greater portion of the night in digging a new line of rifle pits nearer to our line.

The command of the regiment was turned over to Lieutenant-Colonel Corbin.

THOS. J. MORGAN,

Colonel Fourteenth United States Colored Infantry.

Lieut. CHARLES T. HEWITT,

Eighteenth Michigan Infantry, Acting Assistant Adjutant-General.

APPENDIX H.

[Extract.]

REPORT OF THE COMMISSION APPOINTED BY THE PRESIDENT TO INVESTIGATE THE CONDUCT OF THE WAR DEPARTMENT IN THE WAR WITH SPAIN.

[Adjutant-General's Department, Brig. Gen. H. C. Corbin, U. S. A., in charge.]

This Department, which was organized and trained to take care of a small Regular Army, was required to rapidly provide for organizing and mustering in 250,000 soldiers, and within six months to muster out 100,000. The Adjutant-General's Department of the Army, having full knowledge of the condition of the Army when the declaration of war was made, it could not be surprised by the inability of the Departments to immediately respond to the demands. The economy of previous years, by which nearly every article of equipment not immediately needed by the Army was disposed of and no provision made for emergencies, rendered immediate effective expansion of the Army impossible.

In the organization of the Army for active duty provision was made for eight corps, seven of which were fully equipped and placed in the field.

During the organization and equipment of the Army a daily report by telegraph from each camp was received, showing what supplies they had and what was needed, and a copy of this report was furnished each staff department. When important deficiencies were reported, the Secretary of War called attention to the fact, and in most cases it was found that such deficiencies were due to the nonexistence of the articles.

There were about 250 regiments, batteries, and separate organizations in the Army, from only 25 of which came complaints, aside from those affecting the Medical Department. Investigation has shown that the most of these complaints were because of lack of supplies not obtainable at first or were due to the inexperience of officers in command, not, so far as we can discover, from any intentional neglect. Prompt action seems to have been taken in most cases to remedy them, but they were what occurs naturally from new experiences, new conditions, unexpected and emergency movements, and, in fact, from the entirely new life, discipline, and training.

In the staff departments about 400 regular officers, on the strength of their efficiency records, were taken to fill the more responsible positions. Then it was found necessary to go outside and appoint from civil life, the selections being frequently made from officers who had had experience in the National Guard, graduates from military colleges and schools, and citizens whose business or professions fitted them for the positions for which they were selected. The testimony shows that they were honest and manifested a desire to become efficient in their duties. Not one has been court-martialed and but few dropped as incompetent.

The Adjutant-General testified that there had not been a deficiency of one dollar reported on the part of a volunteer staff officer, and that he wished to make it a matter of record that in the distribution of many millions of

dollars during this war there was yet to be made the first charge of defalcation against an Army officer, regular or volunteer.

From the day war was declared until this hour the office of the Adjutant-General has not been closed. The heads of the departments were frequently called in the night for consultation and to furnish supplies in emergencies. The Adjutant-General was in his office almost the entire time, often spending the night there, and the greater part of the force worked Sundays and holidays and at all hours when the emergency required it.

There have been very few complaints against this department. The records and testimony show that it has been prompt in its work, and has added greatly to the efficiency of the Army.

FEBRUARY 9, 1890.

APPENDIX I.

The character of the task involved in the accomplishment of but one of the many duties supervised by the Adjutant-General of the Army is barely suggested by a statement showing the expansion and contraction of the organized forces of the United States, but which can convey no idea, to those not actually engaged in the work, of the vast labor involved in its consumption.

In April, 1898, the Regular Army consisted of 2,142 officers and 26,040 men; by the end of May this force, including State volunteers, was expanded to 8,412 officers and 155,180 men, an increase of 6,269 officers and 129,140 men, and four months later to 11,218 officers and 261,400 men, an average monthly increment of 2,239 officers and 58,840 men.

The signing of the peace protocol in August, 1898, inaugurated the period of discharge of about 30,000 war enlistments of the Regular Army and the muster-out and distribution throughout the country of State volunteer organizations, involving the repatriation, exclusive of regular troops, of 670 officers and 14,380 men from Porto Rico, 1,420 officers and 30,325 men from Cuba, and 780 officers and 14,446 men from the Philippine Islands, and about 1,600 officers and men from Hawaii, involving the recruitment, mobilization, and movement to these islands of fresh regular troops and the organization of 25 national volunteer regiments, and the Porto Rican battalion, under officers of the Regular Army. This work, except for the Philippine Islands, was completed in June, 1899 (repatriation from Cuba having been inaugurated in March), and on the 14th of June, 1899, the first State volunteer organization left Manila and was mustered out at San Francisco, August 7, 1899, a model camp with every convenience for the purpose having been established at this point.

The last State volunteer organization left Manila October 8 and was mustered out as above November 23, 1899. These organizations were distributed over 17 States and as far east as Pennsylvania. The distance traveled in all these movements is worthy of consideration in contemplation of the work accomplished. The first United States volunteer organizations arrived at Manila October 11, 1899, three days after the departure of the last State volunteer regiment, and the last national volunteer regiment arrived at Manila January 25, 1900. These United States volunteer regiments, under regular officers, were composed of about 33,000 men, enlisted from about 125,000 applicants by the general recruiting service under the same rules prescribed for Regular Army enlistments for selecting from all applicants only those of a high standard of moral, mental, and physical excellence.

All officers were selected with equal care, rendezvous were established, supplies placed thereat, and the complete legal organization effected and drill and discipline advanced to a state of efficiency for active field service in an average per regiment of forty-seven days. Their usefulness is without limitation except as to length of service, and their deeds have proved their efficiency.

Finally, there have been mustered in, organized, mobilized, distributed at home and abroad, and finally repatriated and mustered out of service and sent to their homes, 223,25 State volunteers, immunes, cavalry, and engineers. There have been enlisted by the general recruiting service 35,000 United States volunteers, organized into 25 regiments, and transported to the Philippine Islands, excepting two battalions of native Porto Ricans. There have been enlisted and reenlisted for the Regular Army between May 1, 1898, and January 31, 1900, 99,024 men, the present status being approximately 64,000 Regular Army and 35,000 United States volunteers.

Mr. Chairman, I will not sit by and hear this man called an office beggar without rebuke. I will not sit by and have it charged that this man has earned whatever promotion he has received by service in the casemented War Department. No more chivalrous soldier ever lived than Henry C. Corbin. I remember when the question was whether or not General Williams should be promoted to Adjutant-General. He was the ranking officer of the Department, and I remember when other candidates pressed their claims to supersede the old man because of his physical disabilities, and I remember how Henry C. Corbin stood like a rock and insisted that he would not only not take any promotion himself, but would do no act that would injure his old comrade, and Williams was promoted.

And so again and again, and ultimately when it was sought to push interests and prejudices to the promotion of an officer over Ruggles, Corbin being the man selected to be pushed by a large, influential body of men, Corbin came forward and said to me, and said it in the presence of others, "I would not take the promotion over General Ruggles though it was accompanied with a mine of wealth," and he did not, and he has patiently served in that department for twenty years and has earned promotion even greater than this.

Mr. Speaker, when men slept, when in this city of Washington there were but two pairs of eyes wide awake night after night and night after night until daylight began to appear, studying the complications of our Spanish war, studying what was necessary to be done for the honor of the country and the victory of our armies, the men whose vigilance and perseverance and intelligence will never be forgotten are William McKinley, with Corbin at his elbow—Corbin, the military man; Corbin, the master of the whole situation of the armies; Corbin, the man full of details, full of knowledge, full of fairness, full of justice.

The Adjutant-General's Office is an office of wonderful import-

tance in the organization of the Army. I here produce a careful statement of the relation that that office bears to the Army of the United States:

THE ADJUTANT-GENERAL'S DEPARTMENT OF THE UNITED STATES ARMY.

The staff of the United States Army is composed of 11 separate and distinct departments. Each has its chief, with the rank of brigadier-general, and all are under the immediate orders of the Secretary of War, the representative of the President, who, by the Constitution, is the Commander in Chief of the military and naval forces.

In all of these departments, with the exception of the Medical Department (which, for obvious reasons, must be recruited from civil life), the officers, save an occasional paymaster or judge-advocate, are appointed from the most meritorious officers of the line of the Army, who are rewarded for achievement in action or demonstrated ability in the command of troops.

An Adjutant-General requires many essential qualities, for there is no office in which subordination and true military character are more essential. While he is not, like an aid-de-camp, dependent on the commander for his office, he is fully in the commander's confidence. Intrusted with great power and discretion—under no other than his personal and official integrity and loyalty—he is under peculiar obligations to the President and the Secretary of War, no less than to the Major-General Commanding the Army, and to the service for faithful, honest, and efficient performance of duty, and he ought to be a man of established character, great activity, and experience in the details of an army.

It would be impossible for a Secretary of War chosen from civil life, however extensive his knowledge of civil affairs or great his executive capacity, to learn the traditions of the Army, master its customs, determine and decide the multitude of questions arising in administration, promulgate executive rulings and orders involving the expenditure of vast treasure, which, by law, require his official sanction or signature, and at the same time carefully consider and work out the details of an administration policy, without availingly himself of the ability and capacity of his technical assistants, the chief of whom is the Adjutant-General.

Furthermore, the President, either directly or through his war minister, calls upon the Adjutant-General concerning the personnel of the Army, that he may be intelligently guided in the selection for all details and assignments and render justice to competing candidates for military appointments and staff details.

The Adjutant-General is the medium of communication between the Secretary of War and all military officers, and he advises them of the progress of events and of operations and movements contemplated and accomplished, and his office is "the military channel" for communication between the Commanding General of the Army and subordinate commanders.

He conducts the military correspondence of the President and the Secretary of War. He exercises supervision of the Military Academy at West Point. Under the direction of the Secretary of War and the commanding general he conducts all movements and operations of troops. He has charge of the recruitment and expansion of the Army in time of peace and war. He is the custodian of the records of the Army and the militia, and of the military histories of all officers and soldiers, and notes resignations, deaths, and other casualties.

He has charge of all appointments and promotions in the military service, and under his supervision are conducted examinations required by law for appointment and promotion in the military service from those of cadets to the Military Academy to officers of the highest grade. He collects and classifies military information and prepares and publishes annual reports to his immediate chief for the information of the Congress. These manifold duties, intricate as they are in time of peace, involve increased responsibilities in time of war. The scope of this work and the necessity for its prompt and accurate accomplishment make his office one of highest importance.

Though the American people are strongly imbued with the military spirit, the United States is not, as that term is applied in Europe, a military nation. Unlike the huge military systems of the Old World, where each nation maintains a vast body of trained and thoroughly equipped soldiers constantly prepared for immediate service, the Regular Army of the United States has been a mere nucleus of about 30,000 soldiers maintained in a high state of efficiency, but dependent for expansion in emergency upon the command of Congress and the patriotism and loyalty of the people.

The assembling of the volunteers, the appointment of their officers, their organization, training, and movements; the building up of brigades, divisions, and army corps; recruiting, assigning, transferring, discharging, mustering in and mustering out of the men, with all the multifarious correspondence pertaining thereto, comprise only a portion of the duties of the Adjutant-General of the Army in time of war.

The workings of the Adjutant General's Office, and the possibilities of achievement under its present system and organization, are conspicuously demonstrated in the work performed within the last two years, during the organization of the Volunteer Army to prosecute the war with Spain. History affords but few examples of such complete mobilization.

On the 13th day of April, 1898, the 40 regiments of the Regular Army, consisting of about 26,000 men in all, were quietly attending to their usual garrison duties at something over 90 posts and stations scattered throughout the length and breadth of the land. Six days later 24 of these regiments, ready for the field, were in camp along the Gulf coast, an average of about 2,000 miles from the points of departure. A fortnight later 125,000 volunteers were hastening to camps to receive arms, equipments, and instruction.

On the 30th day of April the number of men under arms in the United States was (to be accurate) 27,351, while on the 30th day of June, sixty days later, this number had been increased to 201,237, and on July 31, one hundred days from the date of the declaration of war, the number had reached 265,529, and twelve days later the war was ended, and over 100,000 of these men were preparing to return to their homes and resume their peaceful occupations. The accomplishment of this rapid mobilization was largely due to the splendidly constructed and ably directed machinery of the Adjutant-General's Office.

In the short period of five weeks the Adjutant-General of the Army, with his assistants at their desks day and night, week days and Sundays, had organized the increased office force; issued commissions and assigned to duty over 800 general and general staff officers; enrolled and mustered this great army into the service of the United States and completed their record papers; gathered the troops into camps of instruction, and organized them into brigades, divisions, and army corps; and conducted an overwhelming correspondence arising from these abnormal conditions.

The correspondence at times reached the enormous proportions of over 4,000 letters and more than 2,400 telegrams in a single day, and for the entire year of the war the average was over 500 telegrams and more than 1,000 letters per day. This mass of correspondence received prompt disposition, and in it were involved countless intricate legal questions, affecting personal and public interests. And the multitude of anxious inquiries from friends and relatives of those in the service and beyond the seas were replied to, requiring careful search of casualty rolls returned from the fields of operations. The office was besieged by those pressing the claims of friends, and correspondents eager to furnish their newspapers with accurate and comprehensive reports of proceedings and progress.

General Corbin was born on a farm in Clermont County, Ohio, September 15, 1842. He received his education in the common schools and at a private academy, and was studying law in 1861, at the outbreak of the great civil war. He reached the military age just at the moment the nation was entering upon a struggle which involved its existence. Abandoning all plans for a professional career, he was on the battlefield at an age when most of his boy friends were still in the hands of their tutors.

At the age of 19 he was appointed a second lieutenant in the volunteer service, promoted first lieutenant at 20, major at 21, lieutenant-colonel four months later, and at 22 colonel and brevet brigadier-general. With the war ended, he decided to adopt the profession of a soldier. The Army being reduced to a peace footing, only one course was open—descend to the foot of the ladder and climb it again—and it has taken over thirty years to regain the grade he held at 22. But those thirty years embraced a service that carried him into every geographical division of the country and a variety of military experience.

He possesses an unusual talent for organization and executive management, coupled with keen discriminating knowledge of men and human character. He has been repeatedly selected to plan and manage important official and popular demonstrations involving the bringing together of large bodies of men, throwing him into close personal contact with the leading men of almost every walk of human activity. This has given him a larger personal acquaintance with the public men of his own and foreign countries than any other official at the nation's capital. He brought to the office of Adjutant General a wide range of experience, and it has enabled him to meet promptly, carry through with extraordinary dispatch and success, the great burden of responsibility that has devolved upon the office during the past two years.

I have known Henry C. Corbin in the walks of life other than the Army. I have known him as a citizen, as a faithful and devoted son, a loving, affectionate husband, and a most devoted father. In all these relations he has no superior as a demonstrator of what a good man is. He has borne the burdens of the old age that has crept upon his father, and he has divided his income with the children of his dead brother. He has supported and educated his own children. He has borne the affliction that God has seen proper to put upon him, with a patience that Job could not have exceeded, and he nursed and cared for a loving wife with affection born of true love and true chivalry.

I would not mention these things, Mr. Chairman, but for some circumstances with which the public are quite familiar, and he who would detract from the fame of Henry C. Corbin in either one of these directions errs in judgment or in purpose.

I will not discuss the propriety of the promotion of one staff over another. It is enough for my purpose to say that the Adjutant-General of the Army issues orders to all the other staff departments, and it is absolutely meet and proper that he should be at least one grade higher than the head of the other departments.

So, Mr. Chairman, let us confer these high honors upon General Miles, who has earned them, and upon Henry C. Corbin, who has earned all that is coming to him through this legislation.

I pay this tribute as a friend of his, associated during the whole of his life, as a comrade in arms, and as a man disposed simply to do justice to a splendid specimen of American manhood.

The question on the motion to recommend that the House non-concur in the Senate amendments 18 and 19 was agreed to.

The Clerk read the twentieth amendment, as follows:

SEC. 4. That the corps of cadets shall consist of 1 from each Congressional district, 1 from each Territory, 1 from the District of Columbia, and 50 from the United States at large, not more than two of whom shall be appointed from the same State. They shall be appointed by the President, and shall be actual residents of the Congressional or Territorial districts, or of the District of Columbia, or of the States, respectively, from which they purport to be appointed.

Mr. HULL. Mr. Chairman, I move that the committee recommend nonconcurrence to the House in this amendment. I ask unanimous consent that debate on this amendment be limited to five minutes.

Mr. GROSVENOR. If I understand this amendment, it turns over the appointment of all cadets to the President, and I dislike that very much.

Mr. HULL. It simply keeps the law, as far as this matter is concerned, where it is. The President now appoints, and we recommend.

Mr. SULZER. I would like to occupy two minutes.

Mr. HULL. I will ask five minutes, of which I will give the gentleman from New York [Mr. SULZER] two. Mr. Chairman, I ask unanimous consent that debate on the pending amendment be closed in five minutes.

Mr. CLARK of Missouri. I object.

Mr. HULL. Then I make a motion to close debate in that time. The motion was agreed to; there being—ayes 114, nays 37.

Mr. HULL. I yield two minutes to the gentleman from New York [Mr. SULZER].

Mr. SULZER. Mr. Chairman, of all the amendments the Senate attached to this bill, this amendment regarding the cadets is, in my judgment, the worst and the most pernicious, and I hope and trust that the House will instruct its conferees to insist on their disagreement. In view of all the facts, the only way to attain, in my judgment, what this amendment seeks is to make West Point a great national university and open to all the young men of the country under prescribed rules and restrictions as to the qualifications necessary to admission. It should be our constant effort to make it a great national university, where every young man who can pass the necessary physical and mental examination and who is of good moral character should be freely

admitted and educated by the Government. This is the true solution of the problem. I am opposed to giving additional appointments to the President to reward friends for political purposes.

I give notice now that I shall strenuously combat this amendment, and as long as I am in Congress I will do all in my power to make West Point a great national university, free to all the young men of our country under proper restrictions; and I believe the day is not far distant when this commendable and desirable reform will be brought about so that the entrance to the Academy shall be for merit alone without regard to political reward or personal favoritism. [Applause.] As a member of the committee I am absolutely opposed to this amendment, and I hope it will be disagreed to.

Mr. HULL. I yield to the gentleman from Virginia [Mr. HAY].

Mr. HAY. I yield to the gentleman from Louisiana [Mr. RANSDELL].

Mr. RANSDELL. Mr. Speaker, I desire to call the attention of the country, and especially the people of the former slave States, to a gigantic fraud that is being perpetrated against ignorant colored people through the medium of an association having the avowed purpose of inducing Congress to pension all ex-slaves, but its real purpose being to defraud its dupes of as much money as possible. This matter was brought to my notice in a letter from a prominent colored man in my district, which reads as follows:

KING, LA., May 23, 1900.

Hon. J. E. RANSDELL, M. C.,

Fifth District of Louisiana, Washington, D. C.

MY HONORED SIR: There are agents going to and fro in our district organizing (what they term) ex-slave clubs—persons paying 25 cents to become a member, and so much each month. The purpose is to aid in passing a bill before Congress to pension all ex-slaves, etc. Is there such a bill or any hopes of such? (I know there is no rights.) Let me hear from you relative. With highest regards and best wishes, I am,

Very truly, etc.,

P. C. TYLER.

Upon investigating the subject I find that for the past ten years each session of Congress has had before it a bill to pension ex-slaves. These bills provide that ex-slaves who have reached the age of 70 shall be paid a bounty of \$500 in cash, and thereafter a pension of \$15 per month; that those who have reached the age of 60 shall receive \$300 in cash and \$12 per month; that those who have reached the age of 50 shall be given \$100 and a pension of \$8 per month; and that ex-slaves who have not attained that age shall be granted a pension of \$4 per month until they arrive at the age of 50, and \$8 per month thereafter. They all seem to have been offered on the request of W. R. Vaughan, a resident of this city, but no attempt, so far as I can learn, has been made to have them seriously considered. The promoters of this scheme know how utterly impossible it is to procure the passage of such a law, but if the bill is pending in Congress, even in the dust of the committee room, it enables them to delude their ignorant victims into the belief that Congress will pass it.

According to the census of 1860 there were 3,953,760 slaves then within the United States, and by taking the average rate of increase, as shown by the former census returns, there were, approximately, 4,305,384 slaves when the emancipation proclamation was signed. There are no reliable data as to the age of these slaves and as to how many of them have passed beyond the dark river, but it is safe to say that there are at least 2,000,000 ex-slaves still living, the youngest being 38 years of age, and not less than 700,000 of them have attained the age of 50.

If any bill such as that proposed by Mr. Vaughan should become a law, it is clear that it would take at least one billion dollars to make the first payment alone, and that it would add from \$240,000,000 to \$250,000,000 to the annual appropriation bill to pay the current expenses thereunder. Hence, even if it were a just and meritorious measure, which it is not, the enormous cost involved entirely precludes its serious consideration.

This slimy measure, having entered the present Congress "by request," was reported adversely by Senator GALLINGER, of the Senate Committee on Pensions, January 16 last. His report says:

This bill, which is similar in terms to others which have been introduced in both branches of Congress, proposes to pension ex-slaves on a sliding scale according to age, and if enacted into law would take millions upon millions of money from the public treasury. The introduction of these bills has given an opportunity for dishonest people to impose upon the ignorant and credulous freedmen and their children of the South in a way that will surprise the people of this country when they know the facts. An association has been formed under the name of the Ex-Slave Bounty and Pension Association of the United States of America, with local associations in various parts of the country, and constitutions and by-laws have been adopted and membership certificates issued upon the hypothesis and promise that Congress would certainly favorably legislate on the subject. The charge for charters for local associations is \$2.50 each, for membership certificates 25 cents each, and each member agrees to pay 10 cents per month to the local association to aid the movement.

Your committee has in its possession two certificates, one dated July 5, 1897, numbered 1367, and the other dated April 17, 1899, and numbered 35710. This shows the tremendous growth in membership and enables your committee to estimate the probable amount of money already taken by the promoters of this scheme. At 25 cents each the membership certificates issued up to the latter date represent almost \$9,000, while the dues for a single year will amount to \$43,000. Fully satisfied that this measure is not deserving of serious consideration by Congress, except to expose the mischievous features of the movement, your committee report the bill back adversely and recommend its indefinite postponement.

The Pension Department has made vigorous attempts to protect the colored people of the South from the fraudulent extortions of this society, which has agencies and subagencies all over the Southern States, and has succeeded in putting three of its agents in the penitentiary. The Commissioner of Pensions, Mr. Evans, writes me on June 1:

SIR: In compliance with your oral request I have the honor to forward herewith a statement of the facts concerning the so-called ex-slave pension organizations, showing wherein certain agents of these associations and other unauthorized persons have made the introduction of the various bills a medium of earning a living without honest labor. There can be no question but the people of the South have been victimized to the extent of over a million dollars in connection with this matter, and as you state, I think the time has come to put a stop to their nefarious work if it can be done. I sincerely hope that you will be able to devise some method to this end.

Very respectfully,

H. CLAY EVANS.

Think of this; over \$1,000,000 extracted by fraudulent misrepresentation from the poorest classes of the ignorant, hard-working colored people of the South. Is it not high time for the country to take cognizance thereof, and protect these simple-minded freedmen from further robbery? The remedy is not difficult. If every Congressman who has colored constituents will publish an open letter in the papers of his district explaining this scheme and exposing its fraud, and every newspaper of the South, especially those of the rural districts, will call it to the attention of its readers, and expose it fully, the people can no longer be imposed upon. Publicity is all that is needed to put an end to it.

I sincerely hope that all my colleagues will give their earnest attention to this matter. The work of this society is very quietly and secretly done, and though you may not know it, its agents are doubtless now in your district, just as they are in mine. It works like a thief in the night, but unlike the thief, who preys upon the rich, it seeks the lowliest and most ignorant, and steals from them the pennies of their daily toil, needed by them for their daily bread. Do not imagine that this is a small matter, unworthy of your attention. Any scheme which, as Commissioner Evans says, has already defrauded our freedmen and their children of \$1,000,000 is gigantic in character and well deserves your best efforts to destroy it. If a united effort is made by all of us, if the utmost publicity is given to this scheme, and if all Senators and Congressmen hereafter refuse to offer a bill which would arm this fraudulent society with the powerful weapon of a bill actually pending in Congress, I predict that we will hear no more of this fraud, and that the cunning rascals who for ten years have fattened on the money wrung by deceit and lies from the ignorant blacks will be forced to resort to other crimes for a living or get down to honest work.

Mr. MC CALL. I wish to call the attention of the gentleman from Iowa [Mr. HULL] for a moment to the last sentence of this section, and ask him whether any other construction is possible than that the President shall have the appointment of all cadets to West Point from Congressional districts and everywhere else.

Mr. HULL. He has that authority now. The gentleman from Massachusetts and myself, when there is a vacancy in our respective districts, simply nominate a young man to the President, who is not required to appoint our nominees, but a courtesy has grown up giving to a member from each district the right to nominate a cadet from that district when there is a vacancy, and the President always appoints the nominee. The provision now under consideration does not change the law in any particular in that respect. The law will stand as it now does, that there shall be one cadet from each Congressional district, to be appointed by the President; and our recommendations will no doubt be respected in the future as they have been in the past.

Mr. FLEMING. I understand the law to be just as the gentleman from Iowa has stated it, but I want to ask him this question: What power has a Congressman to make an appointment to West Point if the President should not see fit to ratify his selection?

Mr. HULL. I do not believe he has any power at all.

Mr. FLEMING. Under the law as it now stands, the President would have the right to appoint every cadet to West Point without consulting any Congressman at all?

Mr. HULL. I think so. But an unwritten law has governed the course of procedure in this country practically ever since the establishment of the Military Academy, and no President will ever violate it.

Mr. FLEMING. It is based on custom, not statute law?

Mr. HULL. Yes, sir.

The CHAIRMAN. The question is on the motion of the gentleman from Iowa that the House nonconcur in the Senate amendment.

The motion was agreed to.

Mr. HULL. I move that the committee rise and report the bill back to the House with the recommendation that the House nonconcur in all the amendments.

The motion was agreed to.

The committee accordingly rose; and the Speaker having re-

sumed the chair, Mr. CAPRON reported that the Committee of the Whole House on the state of the Union had had under consideration Senate amendments to House bill 11538, and had directed him to report the same back with the recommendation that the House nonconcur in all the amendments.

Mr. SULZER. Mr. Speaker, would it be in order now to instruct the House conferees to insist on their disagreement to one of the amendments?

The SPEAKER. That proposition can come up after a conference has been asked. The question is on agreeing to the recommendation of the Committee of the Whole that all the amendments of the Senate be nonconcurred in.

The motion was agreed to.

Mr. HULL. I now move that the House ask a conference with the Senate on the disagreeing votes of the two Houses.

The motion was agreed to.

Mr. SULZER and Mr. UNDERWOOD addressed the Chair.

The SPEAKER. The Chair must recognize the member of the Committee on Military Affairs first.

Mr. SULZER. I move that the conferees on the part of the House be instructed to insist on their disagreement to amendment No. 20.

Mr. FLETCHER. What does that relate to?

Mr. SULZER. It relates to giving the President the appointment of cadets at the West Point Military Academy.

Mr. HULL. Mr. Speaker, a parliamentary inquiry. The House has voted to nonconcur once. Would another instruction to nonconcur be in order? You can instruct us to concur with amendments; but we have already voted to nonconcur.

Mr. SULZER. If the gentleman will insist on nonconcurring in that amendment, I will withdraw the request.

Mr. HULL. I do not know whether I will or not. I will not promise very much on that.

The SPEAKER. What was the question of the gentleman from Iowa?

Mr. HULL. My point of order is that the House has already by a vote nonconcurred in this amendment and expressed its disapproval of it, and the motion of the gentleman from New York [Mr. SULZER] is simply to nonconcur again, and I insist—

The SPEAKER. That is substantially true, and yet the Chair thinks that the motion of the gentleman from New York is an emphasizing motion, which takes away from the committee of conference the right to concur or to recommend an agreement in that amendment.

Mr. HULL. To concur with an amendment or in any other way?

The SPEAKER. That is the way it strikes the Chair.

Mr. HULL. Then, Mr. Speaker, I hope the motion of the gentleman from New York will be voted down.

The SPEAKER. It is an unusual motion, and would seem to be an unnecessary motion, but the Chair is inclined to think it is one that should be submitted to the House. The question is on the motion of the gentleman from New York [Mr. SULZER], that the House conferees be instructed to insist on their disagreement to the Senate amendment.

The question being taken, the Speaker announced that the noes appeared to have it.

Mr. SULZER demanded a division.

The House divided; and there were—ayes 54, noes 103.

Accordingly the motion of Mr. SULZER was rejected.

Mr. UNDERWOOD. I desire to offer a motion to instruct the conferees not to agree to the Senate amendment that provides for the making of the rank of Lieutenant-General, and the amendment providing for the conferring of the rank of major-general on the Adjutant-General.

Mr. HULL. I raise the point of order that one motion to instruct has been made, and that it should have covered the field of instructions that the House desired.

The SPEAKER. The Chair is clearly of the opinion that the House has the right to take up each of the several amendments. Will the gentleman from Alabama send up his resolution?

The Clerk read as follows:

Resolved, That the conferees on the part of the House be instructed to disagree to Senate amendments numbered 18 and 19 to House bill 11538.

Mr. UNDERWOOD. Mr. Speaker, I understand the motion is divisible. I ask for a separate vote on the proposition to instruct as to the major-general and on the proposition to instruct as to the Adjutant-General.

Mr. HULL. Why not take it all in one vote and be done with it? This is simply killing time.

The SPEAKER. The Chair is inclined to think that this resolution is not in proper form. The Chair will suggest to the gentleman that he take one at a time, and save controversy over the matter.

Mr. UNDERWOOD. Very well. Then I will strike out the provision in reference to amendment 19 and make it refer to amendment 18.

The SPEAKER. The gentleman from Alabama moves to instruct the conferees not to agree to amendment No. 18, it being the one having reference to the creation of the grade of Lieutenant-General.

Mr. HULL. I hope that motion will be voted down.

The question being taken, the Speaker announced that the noes appeared to have it.

Mr. UNDERWOOD demanded a division.

The House divided; and there were—ayes 98, noes 106.

Mr. UNDERWOOD. I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER. Those in favor of the instruction proposed by the gentleman from Alabama in relation to creating the grade of Lieutenant-General will, as their names are called, vote "aye;" those opposed will vote "no;" the motion being to instruct the conferees not to agree to this amendment.

The question was taken; and there were—yeas 111, nays 143, answered "present" 18, not voting 85; as follows:

YEAS—111.

Allen, Ky.	Dougherty,	Littauer,	Shackleford,
Bailey, Tex.	Driggs,	Little,	Shafroth,
Ball,	Farris,	Lloyd,	Sheppard,
Barlett,	Finley,	Long,	Sims,
Bell,	Fletcher,	Loud,	Smith, Ky.
Bellamy,	Gardner, N. J.	McLain,	Snodgrass,
Benton,	Gaston,	Maddox,	Stallings,
Bradley,	Gilbert,	Meekison,	Stark,
Brantley,	Griggs,	Mercer,	Stephens, Tex.
Brenzeale,	Hay,	Miers, Ind.	Stewart, N. Y.
Brenner,	Henry, Miss.	Moon,	Stokes,
Brewer,	Howard,	Neville,	Sutherland,
Brick,	Howell,	Norton, S. C.	Swanson,
Burkett,	Jack,	O'Grady,	Tate,
Burleson,	Johnston,	Otey,	Taylor, Ala.
Burnett,	Jones, Va.	Packer, Pa.	Terry,
Caldwell,	Jones, Wash.	Pierce, Tenn.	Thomas, N. C.
Clark, Mo.	King,	Pugh,	Underwood,
Clayton, Ala.	Kitchin,	Ransdell,	Watson,
Cochran, Mo.	Kieberg,	Rhea, Ky.	Williams, J. R.
Cooney,	Kiutta,	Rhea, Va.	Williams, W. E.
Crumpacker,	Lacey,	Richardson,	Williams, Miss.
Cushman,	Lamb,	Rixey,	Wilson, Idaho
Davenport, S. W.	Lanham,	Robinson, Nebr.	Wilson, S. C.
De Armond,	Lassiter,	Rucker,	Wright,
De Graffenreid,	Latimer,	Ryan, N. Y.	Zenor,
De Vries,	Lester,	Ryan, Pa.	Ziegler,
Dinsmore,	Lewis,	Salmon,	

NAVES—143.

Acheson,	Davidson,	Hoffecker,	Phillips,
Adams,	Dick,	Hopkins,	Polk,
Aldrich,	Dolliver,	Hull,	Ray,
Alexander,	Driscol,	Joy,	Reeder,
Allen, Me.	Eddy,	Kahn,	Riordan,
Babcock,	Emerson,	Ketcham,	Roberts,
Barber,	Fitzgerald, Mass.	Landis,	Rodenberg,
Barney,	Fitzgerald, N. Y.	Lane,	Russell,
Boring,	Fleming,	Lawrence,	Scudder,
Bontell, Ill.	Fordney,	Lentz,	Shattuc,
Bowersock,	Foss,	Levy,	Shelden,
Brosius,	Foster,	Littlefield,	Sherman,
Brown,	Fowler,	Livingston,	Showalter,
Brownlow,	Freer,	Lorimer,	Sibley,
Burke, S. Dak.	Gaines,	Loudenslager,	Smith, H. C.
Burleigh,	Gibson,	Lovering,	Smith, Wm. Alden
Butler,	Gill,	Lybrand,	Spalding,
Calderhead,	Gillet, N. Y.	McCall,	Steel,
Chanler,	Gillet, Mass.	McCleary,	Stevens, Minn.
Clarke, N. H.	Glynn,	Marsh,	Stewart, Wis.
Clayton, N. Y.	Gordon,	McSick,	Sullivan,
Connell,	Graf,	Miller,	Sulzer,
Cooper, Wis.	Graham,	Minor,	Taylor, Ohio
Corlies,	Greene, Mass.	Mondell,	Thayer,
Cousins,	Grosvenor,	Moody,	Thomas, Iowa
Cox,	Grout,	Moody, Oreg.	Thropp,
Cromer,	Grow,	Morgan,	Underhill,
Crowley,	Hall,	Morris,	Van Voorhis,
Crump,	Hamilton,	Mudd,	Vreeland,
Cummings,	Hawley,	Needham,	Warner,
Curtis,	Heatwole,	Newlands,	Weaver,
Dahle, Wis.	Henry, Conn.	Noonan,	Weymouth,
Daly, N. J.	Hepburn,	Olmsted,	Wilson, N. Y.
Dalzell,	Hill,	Otjen,	Wise,
Davenport, S. A.	Hitt,	Parker, N. J.	Young,
		Payne,	

ANSWERED "PRESENT"—18.

Adamson,	Gardner, Mich.	Metcalfe,	Sperry,
Bromwell,	Haugen,	Meyer, La.	
Capron,	Jett,	Smith, Samuel W.	
Elliott,	McAleer,	Southard,	

NOT VOTING—85.

Allen, Miss.	Campbell,	Gamble,	McRae,
Atwater,	Cannon,	Gayle,	Mahon,
Bailey, Kans.	Carmack,	Green, Pa.	Mann,
Baker,	Catchings,	Griffith,	May,
Bankhead,	Cochrane, N. Y.	Hedge,	Muller,
Barham,	Cooper, Tex.	Hemenway,	Naphen,
Bartholdt,	Cowherd,	Henry, Tex.	Norton, Ohio
Berry,	Cuack,	Jenkins,	Overstreet,
Bishop,	Davey,	Kerr,	Pearce, Mo.
Bontelle, Me.	Davis,	Knox,	Pearson,
Broussard,	Dayton,	Linney,	Pearre,
Brundidge,	Denay,	McClellan,	Powers,
Bull,	Dovener,	McCulloch,	Prince,
Burke, Tex.	Fitzpatrick,	McDowell,	Quarles,
Burton	Fox,	McPherson,	Reeves,

Ridgely,	Smith, Ill.	Tompkins,	Waters,
Robb,	Sparkman,	Tongue,	Weeks,
Robertson, La.	Spight,	Turner,	Wheeler, Ky.
Robinson, Ind.	Sprague,	Vandiver,	White.
Ruppert,	Stewart, N. J.	Wachter,	
Slayden,	Talbert,	Wadsworth,	
Small,	Tawney,	Wanger,	

So the resolution of instructions was rejected.

The following pairs were announced:

Mr. BAKER with Mr. RIDGELY, until further notice.

Mr. PEARCE of Missouri with Mr. VANDIVER, for this day.

On this vote:

Mr. SAMUEL W. SMITH with Mr. DAVIS.

Mr. BREWER with Mr. FITZPATRICK.

Mr. MANN with Mr. JETT.

Mr. BARTHOLDT with Mr. SMALL.

Mr. CANNON with Mr. MCRAE.

Mr. DAHLE with Mr. PEARRE.

Mr. HAUGEN with Mr. BROUSSARD.

Mr. TONGUE with Mr. ELLIOTT.

Mr. WADSWORTH with Mr. DAVEY.

Mr. GROUT. Mr. Speaker, I wish to change my vote from "yea" to "nay."

The name of Mr. GROUT was called, and he voted "nay."

Mr. GILBERT. Mr. Speaker, I desire to change my vote from "nay" to "yea."

The name of Mr. GILBERT was called, and he voted "yea."

Mr. LOUDENSLAGER. Mr. Speaker, I would like to ask if the gentleman from Alabama, Mr. STALLINGS, has voted.

The SPEAKER. The gentleman voted in the affirmative.

Mr. LOUDENSLAGER. Then I would like to vote. I was called and marked "present." I presumed that I was paired.

The SPEAKER. Did the gentleman vote "present?"

Mr. LOUDENSLAGER. I did.

The SPEAKER. Call the name of the gentleman.

The name of Mr. LOUDENSLAGER was called, and he voted "nay."

Mr. FOSTER. Mr. Speaker, I do not think the Clerk got my answer. I voted "nay."

The SPEAKER. Did the gentleman vote?

Mr. FOSTER. I did.

The SPEAKER. Call the name of the gentleman.

The name of Mr. FOSTER was called, and he voted "nay."

Mr. BROMWELL. Mr. Speaker, I have a general pair with the gentleman from Ohio, Mr. McDOWELL. I voted "nay." I desire now to withdraw my vote, and vote "present."

The name of Mr. BROMWELL was called, and he voted "present."

The result of the vote was then announced as above recorded.

The SPEAKER. Does the gentleman desire a vote on the other?

Mr. UNDERWOOD. I now ask for a vote on the instructions on the next amendment.

The Clerk read as follows:

Resolved, That the conferees on the part of the House be instructed to disagree to the amendment of the Senate No. 19 of House bill 11538.

The SPEAKER. The question is on agreeing to the instruction. For the information of the House the Chair will state that this refers to General Corbin.

The question was taken; and the Speaker announced that the noes appeared to have it.

Mr. UNDERWOOD. Division.

The House divided; and there were—ayes 60; noes 107.

So the House refused to instruct.

The SPEAKER. The Chair appoints the following conferees:

Mr. HULL, Mr. BROWNLOW, and Mr. HAY.

ENGROSSING AND ENROLLING BILLS.

Mr. PAYNE. Mr. Speaker, I ask unanimous consent for the present consideration of the following resolution:

The Clerk read as follows:

Resolved by the House of Representatives (the Senate concurring), That during the remainder of the present session of Congress the engrossing and enrolling of bills and joint resolutions by printing as provided by the act of Congress approved March 2, 1885, may be suspended and said bills and joint resolutions may be written by hand.

Mr. PAYNE. I will say that this is the usual resolution, Mr. Speaker.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The question was taken; and the resolution was agreed to.

NAVAL APPROPRIATION BILL.

Mr. FOSS. Mr. Speaker, I now call up the conference report on the naval appropriation bill.

The SPEAKER. The chairman of the Committee on Naval Affairs calls up the naval appropriation bill.

The Clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate numbered 9, 50, 51, 52, 53, and 58 to House bill (H. R. 10450) making appropriation for the naval service for the fiscal year

ending June 30, 1901, and for other purposes, having met, after full and free conference have been unable to agree.

GEORGE EDMUND FOSS,
ALSTON G. DAYTON,
AMOS J. CUMMINGS,
Managers on the part of the House.
EUGENE HALE,
GEORGE C. PERKINS,
B. R. TILLMAN,
Managers on the part of the Senate.

Mr. FOSS. Mr. Speaker, I will state for the information of the House that there are three disagreements between the two Houses; first, upon the ocean survey; second, upon the question of commissioning the cadets of the Naval Academy at the expiration of four years instead of at six years, as at present; and third, the armor-plate proposition.

Now, the House will remember that when this matter was before it two days ago the House amended two of the Senate amendments as to the ocean survey, and second as to the armor plate. The conferees of the two Houses agreed to report a formal disagreement, in order that the Senate conferees might test the sense of the Senate. Consequently this report which I make at this time is a formal disagreement. I move, Mr. Speaker, that the House agree to the conference report.

The SPEAKER. The gentleman has made no report that requires action.

Mr. FOSS. I think it is proper for the House to accept the report, and then I will make another motion.

The SPEAKER. The gentleman will make his motion now.

Mr. FOSS. I ask that the House adopt the report and insist on its disagreement to the Senate amendments, and that it insist on its own amendments to the Senate amendments, and ask for a further conference.

Mr. TATE. Mr. Speaker, I desire, or the minority desires, a separate vote upon the Senate amendment 58, which is the armor-plate question.

Mr. FOSS. We had a debate on that proposition for two or three hours and had a decisive vote. Now, the report which the committee makes is simply a formal report of disagreement. We have had no real conference on this proposition, and I suggest that it is proper and right for the conferees to go back and have a real conference upon it and report to the House.

Mr. TATE. The minority do not desire to delay this matter; they only desire a vote to be had on the armor-plate amendment. If the gentleman does not desire any further debate, we will not insist upon it, but we do insist on a separate vote to this Senate amendment.

Mr. FOSS. We have had a decisive vote upon that, and I move the previous question upon my motion.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PLATT, one of its clerks, announced that the Senate had passed bill of the following title; in which the concurrence of the House was requested:

S. 4147. An act granting an increase of pension to Samuel N. Hoyt.

The message also announced that the Senate had agreed to the report of committee of conference on the disagreeing votes of the two Houses on the amendments of the House of Representatives to the bill (S. 3419) making further provision for the civil government for Alaska, and for other purposes.

The message also announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 9388) to provide better facilities for the safe-keeping and disbursement of public moneys in the Philippine Islands and the islands of Cuba and Porto Rico.

Mr. STEELE. Mr. Speaker, I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. STEELE. Would it be in order to have the Clerk repeat the statement of the messenger of the Senate from the Clerk's desk? I was only about 30 feet away from him, but I did not hear scarcely a word.

The SPEAKER. The messenger has his own difficulties to contend with. Often the House does not seem to be aware of his presence. If the House would observe silence when the messenger is delivering the message, members might be able to hear; but this is not a parliamentary inquiry.

NAVAL APPROPRIATION BILL.

The SPEAKER. The Chair will say that the amendments do not seem to be in possession of the Clerk.

Mr. FOSS. I do not know where they are; they should be in his possession. I will state that the amendments in disagreement are Senate amendment 9, for the ocean survey; 50, 51, 52, and 53, relating to the naval cadets; and 58, which relates to the armor plate.

The SPEAKER. What is the motion of the gentleman from Illinois?

Mr. FOSS. The motion is that the House insist upon its dis-

agreement to the Senate amendments, and also insist upon its own amendments to the Senate amendments, and asks for a further conference.

The SPEAKER. Is a separate vote demanded on any other amendment?

Mr. TATE. We demand a separate vote on amendment 58, the armor-plate question.

Mr. RICHARDSON. Mr. Speaker, I wish to make a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. RICHARDSON. Has this conference committee submitted a report?

The SPEAKER. Simply a report that the conferees have disagreed.

Mr. RICHARDSON. Without any written report?

The SPEAKER. It is a written report, but reports simply a disagreement.

Mr. RICHARDSON. Is the report signed by all the conferees?

The SPEAKER. It is signed by all the conferees. The gentleman from Georgia demands a separate vote on Senate amendment 58. Is a separate vote demanded upon any other amendment? If not, the question will first be taken on the motion to further insist on the disagreement to the other amendments, and to insist on the amendments of the House to the Senate amendments and ask for a further conference.

The question was taken; and the motion was agreed to.

Mr. TATE. Now, Mr. Speaker, I move to recede from the disagreement to Senate amendment 58 as amended and concur in the same.

The SPEAKER. The gentleman from Georgia moves that the House recede from its disagreement to the amendment of the Senate numbered 58 as amended and agree to the same.

The question was taken; and the Speaker announced that the noes seemed to have it.

Mr. TATE. I call for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 92, nays 146, answered “present” 19, not voting 95; as follows:

YEAS—92.

Allen, Ky.	Driggs,	Lentz,	Ryan, Pa.
Allen, Miss.	Elliott,	Lester,	Scudder,
Ball,	Finley,	Lewis,	Shackelford,
Bell,	Fitzgerald, Mass.	Little,	Sheppard,
Bellamy,	Fitzgerald, N. Y.	Livingston,	Sims,
Brantley,	Fleming,	McLain,	Smith, Ky.
Brenner,	Foster,	Maddox,	Snodgrass,
Burleson,	Gilbert,	Meekison,	Stark,
Burnett,	Gordon,	Miers, Ind.	Stephens, Tex.
Caldwell,	Griggs,	Moon,	Stokes,
Clark, Mo.	Hay,	Needham,	Sutherland,
Clayton, Ala.	Henry, Miss.	Neville,	Swanson,
Clayton, N. Y.	Henry, Tex.	Noonan,	Tate,
Cochran, Mo.	Howard,	Norton, S. C.	Taylor, Ala.
Crowley,	Jones, Va.	Otey,	Terry,
Daly, N. J.	King,	Pierce, Tenn.	Thayer,
Davis,	Kitchin,	Rhea, Ky.	Thomas, N. C.
De Armond,	Kleberg,	Rhea, Va.	Underwood,
De Graffenreid,	Kluttz,	Richardson,	Williams, J. R.
De Vries,	Lamb,	Ridgely,	Williams, W. E.
Denny,	Lanham,	Robinson, Nebr.	Wilson, Idaho
Dinsmore,	Lassiter,	Rucker,	Zenor,
Dougherty,	Latimer,	Ryan, N. Y.	Ziegler.

NAYS—146.

Acheson,	Dayton,	Kahn,	Roberts,
Adams,	Dick,	Ketcham,	Rodenberg,
Aldrich,	Dolliver,	Lucy,	Russell,
Alexander,	Eddy,	Landis,	Salmon,
Babcock,	Emerson,	Lane,	Shattuc,
Bailey, Kans.	Esch,	Lawrence,	Shelden,
Bailey, Tex.	Fletcher,	Levy,	Sherman,
Baker,	Fordney,	Littauer,	Showalter,
Barber,	Foss,	Littlefield,	Sibley,
Barney,	Gardiner, N. J.	Long,	Smith, H. C.
Bingham,	Gibson,	Lorimer,	Smith, Samuel W.
Boutell, Ill.	Gill,	Lond,	Spalding,
Bowersock,	Gillett, N. Y.	Lovering,	Steele,
Breazeale,	Gillett, Mass.	Lybrand,	Stevens, Minn.
Brick,	Graff,	McCall,	Stewart, N. Y.
Brosius,	Graham,	Marsh,	Stewart, Wis.
Brown,	Greene, Mass.	Mercer,	Sullivan,
Brownlow,	Grosvenor,	Meyer, La.	Sulzer,
Burke, S. Dak.	Grout,	Miller,	Tawney,
Burkett,	Grow,	Minor,	Taylor, Ohio
Burleigh,	Hall,	Mondell,	Thomas, Iowa
Butler,	Hamilton,	Moody,	Thropp,
Calderhead,	Hawley,	Moody, Oreg.	Underhill,
Cannon,	Heatwole,	Mudd,	Van Voorhis,
Clarke, N. H.	Hedge,	O'Grady,	Vreeland,
Corliss,	Henry, Conn.	Olmsted,	Wachter,
Cousins,	Hepburn,	Otjen,	Wadsworth,
Cromer,	Hill,	Packer, Pa.	Warner,
Crump,	Hitt,	Parker, N. J.	Waters,
Crumpacker,	Hoffecker,	Payne,	Watson,
Cummings,	Hopkins,	Pearre,	Weaver,
Curtis,	Howell,	Polk,	Weymouth,
Cushman,	Hull,	Pugh,	Wilson, N. Y.
Dalzell,	Jack,	Randsell,	Wise,
Davenport, S. A.	Johnston,	Ray,	Reeder,
Davenport, S. W.	Jones, Wash.	Reeder,	Riordan,
Davidson,	Joy,		Wright.

ANSWERED "PRESENT"—10.					
Adamson.	Capron,	Jett,	Rixey,		
Bazilehead,	Gaines,	Lloyd,	Southard,		
Bartlett,	Gardner, Mich.	McAlear,	Wilson, S. C.		
Bishop,	Glynn,	Metcalfe,	Young.		
Bromwell,	Haugen,	Morris,			
NOT VOTING—95.					
Allen, Mo.	Cowherd,	McClellan,	Robinson, Ind.		
Atwater,	Cox,	McCulloch,	Ruppert,		
Barham,	Cusack,	McDowell,	Shafroth,		
Bartholdt,	Dahle, Wis.	McPherson,	Slayden,		
Benton,	Davey,	McRae,	Small,		
Berry,	Dovener,	Mahon,	Smith, Ill.		
Boring,	Driscoll,	Mann,	Smith, Wm. Alden		
Boutelle, Mo.	Faris,	May,	Sparkman,		
Bradley,	Fitzpatrick,	Mesick,	Sperry,		
Brewer,	Fowler,	Morgan,	Spight,		
Broussard,	Fox,	Muller,	Sprague,		
Brundidge,	Freer,	Naphen,	Stallings,		
Bull,	Gamble,	Newlands,	Stewart, N. J.		
Burke, Tex.	Gaston,	Norton, Ohio	Talbert,		
Burton,	Gayle,	Overstreet,	Tompkins,		
Campbell,	Green, Pa.	Pearce, Mo.	Tongue,		
Carmack,	Griffith,	Pearson,	Turner,		
Catchings,	Hemenway,	Phillips,	Vandiver,		
Chanier,	Jenkins,	Powers,	Wanger,		
Cochrane, N. Y.	Kerr,	Prince,	Weeks,		
Connell,	Knox,	Quarles,	Wheeler, Ky.		
Cooney,	Linney,	Reeves,	White,		
Cooper, Tex.	Loudenslager,	Robb,	Williams, Miss.		
Cooper, Wis.	McCleary,	Robertson, La.			

So the motion that the House recede from its disagreement and concur in the amendment was rejected.

The following additional pairs were announced:

Mr. WM. ALDEN SMITH with Mr. WILSON of South Carolina, for the remainder of the session.

Mr. BARTHOLDT with Mr. LLOYD, until further notice.

Mr. LOUDENSLAGER with Mr. STALLINGS, for this day.

Mr. YOUNG with Mr. BENTON, for this day.

Mr. McCALL with Mr. GAINES, for this day.

On this vote:

Mr. TONGUE with Mr. GLYNN.

Mr. DAVEY with Mr. RIXEY.

Mr. HAUGEN with Mr. BROUSSARD.

Mr. FOWLER with Mr. BARTLETT.

Mr. JETT. Mr. Speaker, on this question I voted "aye." I find I am paired with my colleague, Mr. MANN. I desire to withdraw my vote and be recorded "present."

Mr. RIXEY. I voted "aye." I find I am paired with Mr. DAVEY. I wish to withdraw my vote and be recorded "present."

Mr. WILSON of South Carolina. I wish to change my vote from "aye" to "present," as I see I am paired.

Mr. GAINES. I desire to withdraw my vote in the affirmative and ask to be recorded "present." I am paired with the gentleman from Massachusetts, Mr. McCALL.

Mr. BARTLETT. I desire to know whether the gentleman from New Jersey, Mr. FOWLER, voted on this roll call?

The SPEAKER. He did not.

Mr. BARTLETT. I desire, then, to withdraw my vote in the affirmative and answer "present."

The result of the vote was announced as above recorded.

Mr. FOSS. I move that the House insist on its amendments to Senate amendment numbered 58.

The motion was agreed to.

Mr. FOSS. I move that the House agree to the conference asked by the Senate.

The motion was agreed to.

The SPEAKER announced the appointment of Mr. Foss, Mr. DAYTON, and Mr. CUMMINGS as conferees on the part of the House.

DEFICIENCY APPROPRIATION BILL.

Mr. CANNON. I ask unanimous consent that the House nonconcur in the Senate amendments to the general deficiency bill and ask for a conference thereon with the Senate.

The SPEAKER pro tempore. The gentleman from Illinois [Mr. CANNON] asks unanimous consent that the amendments of the Senate to the general deficiency bill be nonconcurred in in gross.

Mr. SHERMAN. I object until I can find out if I can arrange for a separate vote on amendment 129. I desire to move that the House recede and concur in that amendment. That is the amendment providing an extra month's pay for the House employees.

Mr. CANNON. Well—

Mr. HAWLEY. A parliamentary inquiry—

The SPEAKER. What was the statement of the gentleman from Illinois in answer to the gentleman from New York?

Mr. CANNON. Well, I will say to the gentleman that I think it would be well to let the bill go to conference, and if the Senate insists, as I apprehend it will, and we should close up the bill otherwise, a motion to concur would pass the bill—that is, if that was the sense of the House.

Mr. SHERMAN. Mr. Speaker, I want to get a vote now. We can take it in five minutes. I do not propose to call for the yeas

and nays on it. If the gentleman will let us take a vote on that one amendment, I am quite sure there will be no objection to nonconurrence in all of the other amendments. I do not desire to debate it. Everybody in the House understands what the amendment is.

Mr. CANNON. Well, this matter has held me up all day, and I think that it could be disposed of just as well on a report as it could now; but, of course, if the gentleman puts his terms on as a condition for unanimous consent, there is nothing I can do except to yield.

Mr. SHERMAN. Then, if the gentleman consents, I simply move that the House recede and concur in Senate amendment 129.

Mr. CANNON. Well, I will first see if I can get unanimous consent to consider the bill.

The SPEAKER. The gentleman from Illinois [Mr. CANNON] asks unanimous consent that the House nonconcur in gross on the amendments of the Senate, and ask for a conference with the Senate. Is there objection?

Mr. SHERMAN. I object, Mr. Speaker.

Mr. CANNON. Well, I will ask unanimous consent to consider the deficiency bill in the House as in Committee of the Whole, under the five-minute rule.

The SPEAKER. The gentleman from Illinois [Mr. CANNON] asks unanimous consent to consider the Senate amendments to the general deficiency bill. Is there objection?

There was no objection.

Mr. CANNON. Now, I move that the House nonconcur in all of the amendments except the one indicated by the gentleman from New York.

Mr. SHERMAN. That is all right.

The SPEAKER. The gentleman from Illinois moves to nonconcur in all the Senate amendments except amendment numbered 129.

The motion was agreed to.

Mr. CANNON. Now I move to nonconcur in that one.

The SPEAKER. The Clerk will report amendment numbered 129 for the information of the House.

The Clerk read as follows:

Insert the following paragraph:

"To enable the Secretary of the Senate and the Clerk of the House of Representatives to pay to the officers and employees of the Senate and House borne on the annual and session rolls on the 1st day of June, 1900, including the Capitol police, the official reporters of the Senate and of the House, and W. A. Smith, CONGRESSIONAL RECORD clerk, for extra services during the Fifty-sixth Congress, a sum equal to one month's pay at the compensation then paid them by law, the same to be immediately available: *Provided*, That this section shall not apply to any employee included in the preceding section."

Mr. SHERMAN. I move that the House recede, and concur in that amendment, No. 129.

The SPEAKER. The gentleman from New York moves that the House recede, and concur in this amendment.

Mr. CANNON. Well, hold on a minute; I just want to see what this is.

Mr. SHERMAN. This is the amendment providing for an extra month's pay for employees.

Mr. CANNON. I do not care about discussing it; I will just take a minute. Does the gentleman from New York desire to say anything?

Mr. SHERMAN. I do not think I do, unless the gentleman should call forth something. Do you desire me to occupy a minute first? I am willing to.

Mr. CANNON. I do not care whether I come before my friend or he comes before me. The motion speaks for itself.

A resolution like unto this was offered when this bill was being considered in the House. It went out upon a point of order. There was an appeal from the decision of the Chairman of the Committee of the Whole, and the Chair was sustained. What the House might have done in the event that it had had an opportunity to vote on the merits of this proposition, I do not know.

It is always ungracious to stand and oppose the voting of money to ourselves, and perhaps more ungracious to stand and oppose the voting of money to those who are appointed upon our recommendation and whom we meet every day.

Mr. MADDOX. May I ask the gentleman a question?

Mr. CANNON. Yes.

Mr. MADDOX. Is there any better reason for paying this extra month than there is for paying our personal clerks an extra month's salary?

Mr. CANNON. No; no better reason; but as yet nobody has broken that ice.

Mr. MADDOX. I hope they never will.

Mr. PAYNE. You ought not to have mentioned it.

Mr. CANNON. And I will say to my friend that probably I think it will not be done, because the hundred dollars is paid to the member, and through him to the clerk or secretary in his employ; and it might be said, perhaps, that this month's pay was to go to the member, and so on. In other words, it would involve an explanation.

Mr. MADDOX. Well, what is the explanation for this?

Mr. CANNON. And there is nothing that we all dislike so much as to explain. I think we had rather our clerks that we personally employ would lose the hundred dollars than to undertake to explain. That is all that saves the Treasury from that vote. [Laughter.]

Mr. MADDOX. What is the explanation for this?

Mr. CANNON. The explanation for this is as follows: That it has been done time and again, originally and most of the time done only once in a Congress, at the short session. There was apparently some equity in the payment of it at the short session. You come down here the first Monday in December, and you go away the 4th of March. The employees who do not live here have to come from their homes and to go back at the end of three months. The session employees get but their three months' pay. The annual employees, however, get a year's pay. This includes both annual and session. It was supposed that under those conditions there was an equity in the payment for that year of one month's extra pay—that is, four months' pay for three months' service—because of their having to make the journey back and forth. Then the practice grew up, because we had the power, and came in contact with these people, and they were clever people—

Mr. CLAYTON of Alabama. Why not stop the practice now?

Mr. CANNON. The practice grew up of giving a month's pay for the long session. That is what is proposed here. It has not ripened into a universal practice, however. Most of the time it has been done only in the short session, although occasionally it has been done in the long session. But then we have a Treasury full of money, and the statement is made that it is pouring in. We are only proposing to appropriate about \$700,000,000 in round numbers for this session of Congress, to carry on the Government, and, notwithstanding it is a long session, times are good, and I suppose gentlemen will vote for this upon the ground that they can do it without criticism. In my judgment, ungracious though it may appear, it ought not to pass in the long session of Congress, and I shall vote against it. That is all I want to say about it.

Mr. SIMS. Will the gentleman allow me to ask him a question right there?

Mr. CANNON. Yes.

Mr. SIMS. I think the gentleman is right, but I do not understand why he did not make a speech against the St. Louis Exposition appropriation and give me ten minutes to oppose it, as he promised?

Mr. CANNON. The gentleman will recollect that he did not apply to me at the time. No previous question was pending, and if the gentleman had applied to me at the time, I most certainly should have yielded to him.

Mr. SIMS. I expected the gentleman from Illinois to make the principal speech in opposition, and I only wanted to fill up a few gaps.

Mr. CANNON. If the gentleman wants to know about the St. Louis appropriation, I voted against it; and yet, under all the circumstances, it was one of the kind of questions pending before the House that from every symptom that I could discover seemed liable to pass, as the combinations had been made, and upon such merits as it had, and it did.

Mr. SIMS. But, Mr. Speaker, with such a speech as I know the gentleman could make, I think very likely we would have voted right.

Mr. CANNON. I think my friend and myself could certainly have convinced ourselves. [Laughter.] Now, that is all I want to say about it. [Cries of "Vote!"]

The SPEAKER. The question is on the motion of the gentleman to concur.

The question was taken; and the Speaker announced that the yeas appeared to have it.

Mr. SHERMAN and Mr. SHATTUC. Division!

The House divided; and there were—aye 129, noes 62.

Mr. MADDOX. I call for the yeas and nays. [Cries of "Oh, no!"]

The question was taken on ordering the yeas and nays.

The SPEAKER. Twenty-nine gentlemen—not a sufficient number; the yeas and nays are denied [applause]; and the ayes have it.

The gentleman from Illinois asks for a conference.

The motion was agreed to.

The SPEAKER. The Chair appoints the following conferees: **Mr. CANNON, Mr. BARNEY, and Mr. LIVINGSTON.**

DISPOSITION OF CHOCTAW ORPHAN INDIAN LANDS IN MISSISSIPPI.

The SPEAKER laid before the House the following message of the President of the United States; which was read:

To the House of Representatives:

In compliance with a resolution of the House of Representatives of the 2d instant (the Senate concurring), I return herewith House bill No. 9083, entitled "An act to authorize the Commissioner of the General Land Office to

dispose of Choctaw orphan Indian lands in Mississippi, and to make appropriation for executing act of Congress approved June 28, 1898."

WILLIAM MCKINLEY.

EXECUTIVE MANSION, June 5, 1900.

Some time subsequently,

The SPEAKER. The message will be referred to the Committee on Indian Affairs, and ordered printed.

MESSAGE FROM THE PRESIDENT.

A message in writing from the President of the United States was communicated to the House of Representatives, by Mr. PRUDEN, one of his secretaries, who also announced that the President had approved and signed bills of the following titles:

On May 29, 1900:

H. R. 9879. An act to detach certain counties from the United States judicial district of northern California and to annex such counties to the United States judicial district of southern California; to divide said southern district of California into two divisions, and to provide for the holding of terms of court at the city of Fresno and city of Los Angeles;

H. R. 2156. An act for the relief of Oliver M. Blair, administrator of Thomas P. Blair, deceased; and

H. R. 2824. An act to pay certain judgments against John C. Bates and Jonathan A. Yeckley, captain and first lieutenant in the United States Army, for acts done by them under orders of their superior officers.

On May 31, 1900:

H. R. 10740. An act to regulate the grades of Twentieth street, and for other purposes; and

H. R. 7433. An act making appropriations for the current and contingent expenses of the Indian Department and for fulfilling treaty stipulations with various Indian tribes for the fiscal year ending June 30, 1901, and for other purposes.

On June 1, 1900:

H. R. 2337. An act to create the southern division of the southern district of Iowa for judicial purposes, and to fix the time and place for holding court therein;

H. R. 5886. An act granting a pension to William H. Lane;

H. R. 7418. An act granting an increase of pension to George Garrett;

H. R. 8559. An act granting an increase of pension to Margaret R. Clune; and

H. R. 3267. An act granting an increase of pension to Jacob W. Moar.

On June 2, 1900:

H. R. 10301. An act making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1901;

H. R. 8498. An act to amend an act entitled "An act to authorize the reassessment of water-main taxes in the District of Columbia, and for other purposes," approved July 8, 1898;

H. R. 6243. An act to amend the charter of the Capital Traction Company of the District of Columbia;

H. R. 10997. An act to amend section 4414, Title LII, Revised Statutes of the United States;

H. R. 11816. An act requiring the disbursing clerk of the Census Office to file an additional bond, and for other purposes;

H. R. 4367. An act granting an increase of pension to Mary La Tourrette Stotsenburg;

H. R. 7812. An act granting a pension to Lydia Strang; and

H. J. Res. 238. Joint resolution authorizing the printing of additional copies of the annual report upon the improvement and care of public buildings and grounds.

On June 4, 1900:

H. R. 11281. An act permitting building a dam across New River;

H. R. 9884. An act authorizing the construction of a bridge across the Red River of the North;

H. R. 2826. An act authorizing and requiring certain extensions to be made to the lines of the Capital Traction Company, and of the Anacostia and Potomac River Railroad Company of the District of Columbia;

H. R. 11283. An act to establish Calais, in the State of Maine, as a subport of entry, and to extend the privileges of the act approved June 10, 1880, to the ports of Eastport and Calais, in the State of Maine; and

H. R. 10812. An act authorizing the Secretary of the Interior to set aside certain described lands in San Juan County, Colo., as a legal subdivision or lot, and authorizing the mayor of Silverton to enter said land for cemetery purposes.

On June 5, 1900:

H. R. 8366. An act relating to the allowance of exceptions;

H. R. 6230. An act for the relief of Robert Smalls; and

H. R. 11650. An act relating to certain railway corporations owning or operating street railways in the District of Columbia.

EXPLANATION.

Mr. GAINES. Mr. Speaker, I would like to make an explanation, on account of the colloquy that I had with the gentleman from Ohio this afternoon.

The SPEAKER. The gentleman from Tennessee must make his usual exertion so as to be heard.

Mr. GAINES. I desire, Mr. Speaker, to make an explanation to the House for the reason that my friend from Ohio [Mr. GROSVENOR] and myself disagreed about a portion of his speech made Saturday, and I hope the House will indulge me a minute or two. Here is what the gentleman from Ohio said:

Another fact—there is no such thing in Ohio as the Standard Oil trust. That organization was prosecuted in the supreme court of Ohio—the time I can not give, but something like three years ago. A judgment was rendered absolutely revoking all authority, and the practical effect of it was to drive it out of the State of Ohio absolutely. The only thing that has been carried on in the State of Ohio are the operations of the Standard Oil Company, a corporation under the laws of another State, which is carrying on the gigantic work of developing the oil fields of Ohio.

Now, Mr. Speaker, just a moment. In my remarks this afternoon I said the gentleman from Ohio [Mr. GROSVENOR] said a few days ago that the Standard Oil Company was not in existence in the State of Ohio.

Mr. PAYNE. What is the question of the gentleman from Tennessee?

Mr. GAINES. I hope the gentleman will not object. I will rise to a question of privilege anyhow if I can not do it this way. Now, all the difference between General GROSVENOR and myself is this:

This stenographic report shows that the gentleman from Ohio stated that the Standard Oil Company was in Ohio and I understood him to say that it was not in Ohio, and in my speech to-day I undertook to prove that he was mistaken, and quoted General Monnett's interview of to-day wherein he said, "The Standard Oil trust has defied the supreme court of Ohio for eight years and still goes unpunished." This shows the difference between us and the cause, and that the gentleman stated that the Standard Oil Company was not in Ohio.

Mr. PAYNE. I move that the House take a recess until 8 o'clock this evening.

The motion was agreed to; and accordingly (at 6 o'clock and 4 minutes p. m.) the House was declared in recess.

AFTER THE RECESS.

The House resumed its session.

GEORGE W. KIRKMAN.

Mr. PARKER of New Jersey. Mr. Speaker, I ask unanimous consent to call up House joint resolution 282 and substitute for it Senate joint resolution 129, authorizing the President to appoint George W. Kirkman to be a captain of infantry in the United States Army. They are both in the same language.

The SPEAKER. The gentleman from New Jersey asks unanimous consent for the present consideration of the joint resolution S. 129, which the Clerk will report.

The Clerk read as follows:

Resolved by the Senate and House of Representatives, etc., That the President is hereby authorized to restore and appoint George W. Kirkman to his previous grade as captain of infantry in the United States Army, with the rank, pay, and allowances to which he would be entitled if the sentence of dismissal by court-martial in his case had not been imposed; subject to such suspension, fine, or other punishment as shall in his judgment be just for the offense of which said George W. Kirkman was found guilty by a court-martial on the 17th of March, 1860.

The SPEAKER. Is there objection?

Mr. PAYNE. I think the gentleman ought to explain it.

Mr. PARKER of New Jersey. Mr. Speaker, this is a special bill. It is not my bill, but I have called it up for my friend from Minnesota.

Mr. MORRIS. Mr. Kirkman was a West Point graduate, a lieutenant in the Regular Army, and given the very finest recommendation; brevetted major for his conduct at El Caney. He was appointed major of volunteers and went to the Philippines, where he now is. His regiment was in the country, and he came down to Manila one day and got in a crowd of young officers, and some of them got a little boisterous.

Mr. JETT. May I inquire what bill this is?

Mr. PARKER of New Jersey. It is the bill relating to George W. Kirkman.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The joint resolution was ordered to be read a third time; and being read the third time, it was passed.

CHARLES B. DOUGHERTY AND OTHERS.

Mr. STANLEY W. DAVENPORT. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 8487) for the relief of Col. Charles B. Dougherty and other members of the Ninth Regiment of Pennsylvania Infantry.

The SPEAKER. The Chair will state that this is a bill reported from the Committee of the Whole with others, and because of the point of no quorum being made, it is the only bill reported from the Committee on Claims that was not that day considered by the House.

The Clerk read the bill, as follows:

Whereas on the 17th day of May, 1868, the baggage car in the train carrying the Ninth Regiment of Pennsylvania Infantry from Mount Gretna, Pa., to Camp Thomas, at Chickamauga, Ga., caught fire accidentally and was destroyed, with all its contents; and

Whereas officers and members of said regiment had personal baggage and headquarters property in said car, which was entirely destroyed. The names of said officers and members, with the value of the property so destroyed, are as follows: Charles B. Dougherty, \$300.65; George W. Wallace, \$112; John S. Harding, \$279.05; Frank L. McKee, \$264.10; William Sharpe, \$427.95; George F. Bues, \$259; Robert S. Mercur, \$147.95; Walter De F. Johnson, \$164.85; Edmund N. Carpenter, \$47.55; Walter S. Stewart, \$127.25; William G. Weaver, \$133.85; Charles H. Minor, \$84.35; Frank W. Innis, \$40; Samuel C. Chase, \$15.75; Claude R. Grosser, \$18.25; Richard Generals, \$21.50; Harry R. Williams, \$175.75; John McCallum, \$130.70; Walter R. Phillips, \$119.40; Dennison Stearns, \$182.90; James C. Kenny, \$198.20; John A. Kenny, \$127.15; Louis Frank, \$6.50; E. G. Gage, \$87.12; Fred C. Bennett, \$75; Charles S. Colony, \$171.37; John H. Mahan, \$55; Perry H. Benscoter, \$12; O. Hillard Bell, \$117.75; Edmund D. Camp, \$106; William T. Hart, \$38.70; E. L. Solomon, \$17.80; Morris M. Keck, \$19.35; Darius L. Miers, \$137.75; Evan R. Williams, \$32.44; Author Everett, \$33.10; George S. McCleary, \$211.25; Harry G. Ront, \$101.20; George R. McLean, \$268.70; John T. Flannery, \$94; Michael J. Buckley, \$81.95; Michael J. Brennan, \$33.20; Harry W. Pierce, \$211; W. F. Powell, \$43.90; Adnah McDaniels, \$76.50; total, \$5,963.35; Therefore,

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay said officers and members of the Ninth Regiment of Pennsylvania Infantry as aforesaid, or their legal representatives, the said several sums lost by them, respectively, out of any moneys in the Treasury not otherwise appropriated.

Mr. STANLEY W. DAVENPORT. Mr. Speaker, when this matter came before the House a few days ago the gentleman from California [Mr. LOUD] made some objection to a couple of items, I have been in consultation with the gentleman from California, and we have agreed upon certain amendments, which I will now offer.

The SPEAKER. The gentleman can offer them after unanimous consent is given.

Mr. PAYNE. I would like, Mr. Speaker, to hear the amendments read before the unanimous consent is obtained.

The SPEAKER. The Clerk will report the amendments for the information of the House.

The Clerk read as follows:

Strike out, at the bottom of page 1, the words "four hundred and twenty-seven dollars and fifty-five cents" and insert in place thereof "one hundred and ninety-seven dollars and fifty-five cents;" so as to read: "William Sharp, \$197.95."

On page 2, line 5, strike out the words "four hundred and forty-seven dollars and fifty-five cents" and insert "three hundred and nine dollars and sixty-eight cents;" so as to read: "Edmund N. Carpenter, \$309.65."

Also, on page 3, strike out the words "five thousand seven hundred and sixty-three dollars and thirty-five cents" and insert in place thereof "five thousand five hundred and ninety-five dollars and forty-eight cents."

The SPEAKER. Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none.

The amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time; and being read the third time, was passed.

On motion of Mr. STANLEY W. DAVENPORT, a motion to reconsider the last vote was laid on the table.

PORt OF DELIVERY AT WORCESTER, MASS.

Mr. MOODY of Massachusetts. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (S. 3296) to provide for the establishment of a port of delivery at Worcester, Mass.

The Clerk read the bill, as follows:

Be it enacted, etc., That Worcester, in the State of Massachusetts, be, and is hereby, established as a port of delivery in the customs collection district of Boston and Cambridge, and that the privileges of the seventh section of the act approved June 10, 1860, governing the immediate transportation of dutiable merchandise without appraisement, be, and they are hereby, extended to that port.

The SPEAKER. Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none.

The bill was ordered to be read a third time; and being read the third time, was passed.

On motion of Mr. MOODY of Massachusetts, a motion to reconsider the last vote was laid on the table.

DAVID BAGLEY.

Mr. KITCHIN. Mr. Speaker, I ask unanimous consent for the present consideration of Senate joint resolution 72, authorizing the President of the United States to appoint David Bagley as an additional cadet at the Naval Academy, Annapolis, Md.

The Clerk read the bill, as follows:

Resolved, etc., That the President of the United States be, and is hereby, authorized to appoint as an additional cadet at the Naval Academy, Annapolis, Md., David Bagley, brother of Ensign Worth Bagley, United States Navy, killed in battle at Cardenas, Cuba, May 11, 1868.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. PAYNE. I would like to ask the gentleman if this bill has been reported from the Committee on Naval Affairs?

Mr. KITCHIN. This is a Senate bill that has passed the Senate, and a similar bill has been reported by the Committee on Naval Affairs of the House.

THE SPEAKER. Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none.

The bill was ordered to a third reading; and being read the third time, was passed.

MR. KITCHIN. Mr. Speaker, I move that the House joint resolution 33 lie on the table.

THE SPEAKER. Without objection that order will be made.

There was no objection.

On motion of **MR. KITCHIN**, a motion to reconsider the last vote was laid on the table.

ANCHORAGE OF VESSELS IN KENNEBEC RIVER.

MR. GROSVENOR. I ask unanimous consent for the present consideration of the bill (S. 4658) relating to the anchorage of vessels in the Kennebec River at or near Bath, Me.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized, empowered, and directed to define and establish an anchorage ground for vessels in Kennebec River at or near Bath, Me., to adopt suitable rules and regulations in relation thereto, and to take all necessary measures for the proper enforcement of such rules and regulations.

SEC. 2. That in the event of the violation of any such rules or regulations by the owner, master, or person in charge of any vessel, such owner, master, or person in charge of such vessel shall be liable to a penalty of \$100; and the said vessel may be helden for the payment of such penalty, and may be seized and proceeded against summarily by libel for the recovery of the same in any United States district court for the district within which said vessel may be, and in the name of the officer designated by the Secretary of the Treasury.

SEC. 3. That this act shall take effect immediately.

There being no objection, the House proceeded to the consideration of the bill; which was ordered to a third reading, read the third time, and passed.

JURISDICTION OF UNITED STATES COURTS.

MR. BARTLETT. I ask unanimous consent for the present consideration of the bill (H. R. 4915) to amend the seventh section of the act entitled "An act to establish circuit courts of appeals, and to define and regulate in certain cases the jurisdiction of the courts of the United States, and for other purposes," approved March 3, 1891.

The bill with the amendments was read, as follows:

Be it enacted, etc., That the seventh section of the act entitled "An act to establish circuit courts of appeals, and to define and regulate in certain cases the jurisdiction of the courts of the United States, and for other purposes," approved March 3, 1891, be amended so as to read as follows:

SEC. 7. That where, upon a hearing in equity in a district court or in a circuit court, or by a judge thereof in vacation, an injunction shall be granted or continued or a receiver appointed, by an interlocutory order or decree, in a cause in which an appeal from a final decree may be taken under the provisions of this act to the circuit court of appeals, an appeal may be taken from such interlocutory order or decree granting or continuing such injunction or appointing such receiver to the circuit court of appeals: *Provided*, That the appeal must be taken within thirty days from the entry of such order or decree, and it shall take precedence in the appellate court; and the proceedings in other respects in the court below shall not be stayed, unless otherwise ordered by that court, or by the appellate court or a judge thereof, during the pendency of such appeal: *Provided further*, That the court below may in its discretion require as a condition of the appeal an additional bond. "

THE SPEAKER. Is there objection to the present consideration of this bill?

MR. PAYNE. Reserving the right to object, I would like to ask the gentleman from Georgia what changes this bill makes in the present law?

MR. BARTLETT. This bill has been unanimously reported from the Committee on the Judiciary, the report having been made by the gentleman from Maine [Mr. LITTLEFIELD]. It is a bill which has passed the House twice before, having been favorably reported in the last Congress by the present Speaker of the House and passed while he was chairman of the Committee on Judiciary.

It simply proposes to remedy what lawyers believe to have been an oversight in the act of 1890. That act provided for appeals from the granting of injunctions, but the Supreme Court held that where the judge simply appointed a receiver and did not grant the injunction asked for there was no right to appeal. This bill is designed simply to remedy that defect in the law. It has been approved, as I have stated, by the Judiciary Committee of two preceding Houses and passed unanimously by two Houses. The passage of the bill has been unanimously requested by the American Bar Association.

MR. PAYNE. I have no objection to the bill.

THE SPEAKER. Is there objection?

There being no objection, the House proceeded to the consideration of the bill.

The amendments reported by the committee were agreed to.

The bill as amended was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

On motion of **MR. BARTLETT**, a motion to reconsider the last vote was laid on the table.

PATENTS OF SETH H. SMITH.

MR. SOUTHARD. I ask unanimous consent for the present consideration of House bill 638, to extend certain patents to Seth H. Smith.

The bill was read, as follows:

Be it enacted, etc., That letters patent 27373, granted March 13, 1883, for wooden plates, and letters patent 27648, granted April 24, 1883, for machines for cutting wooden plates, both of said letters patent having been granted to Seth H. Smith, be, and the same are hereby, extended for the term of ten years from the respective dates of expiration of said patents for the benefit of the said Seth H. Smith, his heirs and legal representatives. And the said patents above described shall have the same effect as if originally granted for the terms extending to the end of the terms to which they are extended by this act: *Provided, however*, That said extended patents shall be open to legal inquiry and decision in the same manner as if issued under the general law relating to patents: *And provided further*, That all persons now enjoying the lawful use of the inventions secured by said patents, or either of them, may continue to use the same as if this act had not been passed.

The amendment reported by the committee was read, as follows: In line 11 strike out "ten" and insert "five," before the word "years."

THE SPEAKER. Is there objection to the present consideration of this bill?

MR. PAYNE. Mr. Speaker, as is well known to the House, this bill was attempted to be brought up by unanimous consent several weeks ago, and I objected to its consideration. About the same time the gentleman from Tennessee [Mr. RICHARDSON] called up a bill for the extension of a patent, and I objected to that. I supposed that these bills would then take their ordinary course and be reached on the call of committees, discussed, and considered in the House. For some reason which I never could understand the gentleman from Tennessee afterwards moved to suspend the rules and pass the bill which he presented—a bill which seemed to me at the time utterly without merit. Still, the House, by a vote of some 80 to 15, agreed to suspend the rules and pass the bill. No reason was given for it; no reason could be given for it.

This case is equally bad or worse. In this case the patentee has had five or six years of very prosperous and extensive business under his patents. Every member of the House has seen the article patented; it is in common use. There is no reason and no excuse why he should not have made from this invention all the money that a patentee was entitled to make. Yet, Mr. Speaker, there is an apparent injustice between the two sides of the House, the gentleman from Tennessee having been recognized on the motion to suspend the rules, while the gentleman from Ohio [Mr. SOUTHARD] has not been. Now, if the Senate had adopted our resolution to adjourn to-morrow, and if this were one of the last six days of the session, I should still insist that the gentleman from Ohio should be required on this bill to make a motion to suspend the rules, which would require a two-thirds vote to pass the bill.

But, Mr. Speaker, as there is no such opportunity, I do not know how I can do justice to the gentleman in this instance except to withdraw the objection; but at the same time express the hope that the bill will not pass the House; and I also desire to give notice that in the future I shall continue to object to any and all requests for unanimous consent to extend the life of any patent.

I remember very well that on the other occasion to which I have referred many gentlemen came to me, on both sides of the House, and said that I was dead right on the proposition that the bill ought not to pass. Gentlemen sitting on the other side of the House joined with me in the opinion I entertained in regard to that matter. I recollect that when the vote came I saw many forms on the other side disappearing in the cloakrooms; some witchery or necromancy had possessed them—I do not know which [laughter]—but at all events they did not appear on the vote.

I repeat, however, that I do not see how I can consistently object in this case. I shall not object, therefore, to the consideration of the bill, but hope the House will vote it down.

THE SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The amendment recommended by the committee was agreed to.

The bill as amended was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

On motion of **MR. SOUTHARD**, a motion to reconsider the last vote was laid on the table.

ANDREW GEDDES.

MR. JETT. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (S. 41) to authorize the President to place Andrew Geddes on the retired list with the rank of captain.

THE SPEAKER. The bill will be read subject to the right of objection.

The bill was read, as follows:

Be it enacted, etc., That the President be, and he is hereby, authorized to revoke his order of December 3, 1889, confirming the sentence of dismissal in the case of Capt. Andrew Geddes, Twenty-fifth United States Infantry, and to disapprove the sentence and to revoke and set aside General Court-Martial Orders, No. 64, Headquarters of the Army, Adjutant-General's Office, Washington, December 4, 1889, approving the pending sentence in the said case and ordering his dismissal, to take effect December 31, 1889, and to order and cause to be issued to said Geddes an honorable discharge as of date December 31, 1889, and to nominate and, by and with the advice and consent of the Senate, appoint said Geddes a captain of infantry in the United States Army, and place him upon the retired list with the rank of captain, the retired list being increased for that purpose only: *Provided*, That no pay, compensation,

or allowance shall accrue by reason of this act for any cause prior to its passage.

The SPEAKER. Is their objection to the present consideration of the bill?

Mr. PAYNE. Mr. Speaker, this bill ought to be explained, to some extent at least, before consent is given for its consideration.

Mr. JETT. Mr. Speaker, I will say, in response to the gentleman from New York, that this is a bill that passed the Senate some two or three months ago, or at least during the present session of Congress, and, further, that it also passed the Senate during the Fifty-fifth Congress, and was reported unanimously by the Military Affairs Committee of the House at that time. It passed the Senate at this session of Congress without division, as I am informed, and was reported favorably by the Committee on Military Affairs of the House.

The object of the bill is to relieve the gentleman in question from the proceedings of a court-martial; and while this is that character of bill, asking for relief in a court-martial case which I have been almost uniformly opposed to in the past, yet after a full, thorough, and painstaking investigation of this matter I have been convinced that the most unjust treatment and a great injustice had been done to the gentleman who seeks relief under the terms of the pending bill.

I wish to say to the members of the House that in my judgment this is absolutely a meritorious bill, or otherwise I should not have asked the House for unanimous consent to take it up for consideration at the present time. There has been a great injustice, in my judgment, done to the gentleman who is the beneficiary of the bill. There is no question of that, and every man who will take the time and trouble to investigate the proceedings of the court-martial must necessarily reach the same conclusions.

Mr. STEELE. I would suggest to my friend to give us the pith of the case, which he does not seem yet to have touched.

Mr. GROSVENOR. I would like the gentleman to tell us about the proceedings of the court-martial to which he objects. Merely saying that this is a "meritorious case," or that in "his judgment a great deal of injustice has been done" this gentleman, or that he has "received harsh and unkind treatment," means nothing. We want some other idea as to why he believes the court-martial was irregular or in any respect subject to criticism.

Mr. JETT. I will say to my friend from Ohio that upon investigation of the records it will be found that this gentleman was in a manner deprived of counsel. It will be found further, on investigation of the record of the proceedings, that the testimony was not sufficient to sustain the charge. In other words, the court-martial, in hearing the case, found that this gentleman was at one moment intoxicated, and at the next moment found that he was not intoxicated. The charge preferred against him was to the effect that he was drunk on dress parade; but according to the testimony of various members of the regiment of which he was a member it is found that he was not intoxicated.

I have been authorized by the committee to call this up and ask for its consideration. I made an investigation of all the facts and have stated what I believe to be that which every gentleman will find if he will take the pains to ascertain for himself. As a member of the committee authorized to report this, I feel that it should receive the approval of the House.

Mr. GROSVENOR. That is entirely satisfactory to me. I have no appreciation of the judgment of a court-martial. I had in my hands recently the entire record under which a young officer in the Philippines was found guilty of drunkenness, and very severely and shamefully punished. I made a careful review of the testimony in the case and found that upon the one-sided testimony alone, before there was any contradiction, the young man was as clear of the charge of being intoxicated as it was possible for a man to be, and I am quite content to withdraw any objection to this.

The SPEAKER. Is there objection?

There was no objection.

The bill was ordered to a third reading; and it was accordingly read the third time, and passed.

On motion of Mr. JETT, a motion to reconsider the last vote was laid on the table.

AMERICAN REGISTER FOR SHIPS STAR OF ITALY AND STAR OF BENGAL.

Mr. JONES of Washington. Mr. Speaker, I ask unanimous consent that Senate bill 4448, to provide an American register for the ships *Star of Italy* and *Star of Bengal*, be taken from the Speaker's table and placed upon its passage.

The bill was read, as follows:

Be it enacted, etc., That the Commissioner of Navigation is hereby authorized and directed to cause the foreign-built ship *Star of Italy* and foreign-built ship *Star of Bengal*, owned by citizens of the United States or citizens of Hawaii, to be registered as vessels of the United States.

The SPEAKER. Is there objection?

There was no objection.

The bill was ordered to a third reading; and it was accordingly read the third time, and passed.

On motion of Mr. JONES of Washington, a motion to reconsider the last vote was laid on the table.

By unanimous consent, on motion of Mr. JONES of Washington, the bill H. R. 11059, on the same subject, was ordered to lie on the table.

MRS. LUTIE M. NOWLIN.

Mr. OTEY. I ask unanimous consent for the consideration of the bill (H. R. 11008) authorizing the Solicitor of the Treasury to quitclaim and release certain title and interest of the United States to Mrs. Lutie M. Nowlin.

The bill was read, as follows:

Whereas, pursuant to a judgment for \$1,000 debt and \$41.10 costs, recovered by the United States in the United States district court for the northern district of Texas on the forfeited bail bond of John Pitts and others, there was levied on, sold, and conveyed to the United States as the property of A. W. Nowlin, one of the defendants, a certain lot or parcel of land situate, lying, and being on the northwest corner of Ross avenue and Leonard street, in the city and county of Dallas, State of Texas, fronting 68 feet on said Ross avenue and running back with said Leonard street 218 feet, together with all and singular the appurtenances and improvements thereunto belonging; and

Whereas it appears that the land and premises so levied on, sold, and conveyed to the United States was at date of the levy and sale aforesaid the separate property of Mrs. Lutie M. Nowlin, the wife of the said A. W. Nowlin, and therefore exempt from levy and sale in satisfaction of the aforesaid judgment recovered against her husband, A. W. Nowlin; and

Whereas the deed to the United States of said property constitutes a cloud of record upon the title of Mrs. Lutie M. Nowlin to said property: Therefore,

Be it enacted, etc., That the Solicitor of the Treasury be, and he is hereby authorized and directed to quitclaim and release to the said Mrs. Lutie M. Nowlin all right, title, and interest of the United States in and to the aforesaid lot and premises and the appurtenances and improvements thereunto belonging: *Provided*, That the aforesaid levy and sale shall not be taken or held to have operated as a satisfaction, in whole or in part, of said judgment, but said judgment shall stand as if the aforesaid levy and sale had not been made.

The SPEAKER. Is there objection?

Mr. PAYNE. I should like to understand about this bill. Here seems to be a judgment against a man on a bail bond, and on this judgment, according to the recital, his interest in certain real estate has been sold. Now, here is a bill brought in to release that real estate to his wife. If his wife owned the real estate, of course the United States could not sell the real estate under the judgment against the husband. If she had any equitable claim against the real estate, this is a case that ought to go to the Court of Claims and there be decided upon evidence, and not come here upon affidavits, I suppose, or perhaps upon statements, to be tried by the House. I should like to hear some explanation of it.

Mr. OTEY. The property was the property of Mrs. Nowlin, and the matter has been before the President and before the Attorney-General for some time. This bill is prepared by the Solicitor of the Treasury himself, and he has recommended it. I would ask that the report be read. It will show all the circumstances.

Mr. PAYNE. I hope it will be read. There ought to be some reason given.

Mr. OTEY. I ask that the report be read, Mr. Speaker.

Mr. PAYNE. Mr. Speaker, the gentleman from Virginia [Mr. OTEY] proposes to have the report read in order that the House may understand this case. I reserve the right to object.

The SPEAKER. Without objection, the report will be read.

The report (by Mr. JENKINS) was read, as follows:

The Committee on the Judiciary, having had under consideration House bill 11008, beg leave to report it back with recommendation that it do pass.

The facts will appear in the papers hereinbelow. This matter has been before the Department of Justice, Attorney-General, and Solicitor of the Treasury, and finally the outcome of a large mass of correspondence was this bill prepared by the Solicitor of the Treasury, and later a letter from him herewith stating his approval of the measure.

DEPARTMENT OF JUSTICE,
OFFICE OF THE SOLICITOR OF THE TREASURY,
Washington, D. C., May 23, 1900.

SIR: I acknowledge the receipt of the agreement entered into on the 17th instant by A. W. Nowlin in the matter of certain land in Dallas, Tex. I think this agreement, together with the proviso in House bill 11008, sufficiently meets the requirements of the case, and I therefore now say to you that I see no objection to the passage of the bill in question. I will so state to the committee having the bill in charge should my views on the subject be requested.

Earlier consideration would have been given by me to the matter but for the fact that there was delay in obtaining a copy of the bill referred to.

Very respectfully,

Hon. PETER J. OTEY, M. C.,
House of Representatives, Washington, D. C.

F. A. REEVE, Acting Solicitor.

DEPARTMENT OF JUSTICE,
OFFICE OF THE SOLICITOR OF THE TREASURY,
Washington, D. C., March 27, 1900.

SIR: In compliance with the request contained in your letter of 24th instant, I have the honor to transmit herewith a statement of facts appearing in record in this office in the matter of a suit brought by the United States in the United States district court for the northern district of Texas on the forfeited bail bond of one John Pitts.

The petition of A. W. Nowlin, accompanying your letter, is herewith returned.

Very respectfully,

M. D. O'CONNELL,
Solicitor.

The ATTORNEY GENERAL.

The records of the office of the Solicitor of the Treasury show that on January 23, 1882, a suit (No. 41) was brought by the United States in the

United States district court for the northern district of Texas on the forfeited bail bond of John Pitts, upon which bond Fred Cullen and A. W. Nowlin were sureties, and that on June 13, 1884, a judgment in said suit was recovered by the United States for \$1,000 debt and \$41.10 costs. Execution on the judgment was issued and certain real property, hereinafter described, was levied on as belonging to A. W. Nowlin. There was, however, no sale of the property under this levy, the United States marshal giving as a reason for his failure to make the sale "that he believed an injunction had been issued by the district judge against his further proceeding under the execution." (It does not appear from the papers whether in fact the injunction mentioned was issued.)

Subsequently the property referred to was sold and conveyed to the United States. I am unable to give the date of the sale or the date of the deed, but the deed was transmitted by the United States marshal to the Solicitor of the Treasury on May 6, 1889, and on May 11 following it was returned by the Solicitor to him for certain corrections. It was found that the corrections could not be made, and accordingly, on April 24, 1889, a new deed was executed by the United States marshal to the United States, and the said new deed was duly recorded. This deed recites that execution issued on May 24, 1887, that the execution was levied on June 1, 1887, and that the premises levied on (the same premises above mentioned) were sold on the first Tuesday in July, 1887, to the United States.

It appears from the papers in the case that after judgment, but before sale of the property to the United States, Nowlin and wife conveyed the property in question to one Henrietta Fricchot; and there is a letter on file among the papers from United States Attorney Marshall in which that officer says that at date of levy the said property was the homestead of Nowlin and wife, and that until the sale to Fricchot the premises were the separate property of Mrs. Nowlin, and therefore exempt from sale in satisfaction of her husband's debts.

When the above sale to Henrietta Fricchot was made, the sum of \$500 was deposited by Nowlin and wife in escrow to indemnify their grantee against any litigation which might result from any claim of title by the United States to said land. Subsequently Nowlin and wife instituted a suit for the recovery of said \$500 or for a rescission of the contract of sale to Henrietta Fricchot. It does not appear what was the result of that suit; but the United States attorney reported that even if Nowlin should secure the rescission of the contract of sale the property "would still be the separate property of his wife and not subject to sale to satisfy his debts, and would probably have the effect to reinvest it with its homestead character, existing at the time of their deed to Fricchot."

The United States attorney further says, "The judgment in favor of the United States has never been recorded, in compliance with the local law on judgment liens, and I do not understand that it was at any time a lien upon the property."

It appears that the judgment on the bail bond recovered by the United States was not satisfied or credited of record by the sale of the aforesaid land to the United States, and that a motion to require the clerk of the court to enter the proper credit upon said judgment was made on June 5, 1890, in the United States district court at Dallas, Tex., on behalf of the defendants in the original suit; but it does not appear from the papers in the Solicitor's office that the motion referred to was ever allowed, or that the judgment was ever credited as prayed for.

An offer made by Mr. Nowlin in March, 1887, to pay \$5 and costs in compromise of the judgment on the bail bond was, upon the declination of the then United States attorney to recommend acceptance, not accepted. In Nowlin's petition for compromise it was stated that the whereabouts of John Pitts, the principal in the bail bond, was then unknown, and it was believed that Pitts was dead.

The property above referred to is described in the deed to the United States as follows:

"One lot or parcel of land situated, lying, and being on the northwest corner of Ross avenue and Leonard street, in the city and county of Dallas, State of Texas, fronting 68 feet on said Ross avenue and running back with said Leonard street 218 feet, together with all and singular the appurtenances and improvements thereto belonging. Said premises and lot of land was formerly occupied by said A. W. Nowlin."

The United States has never had possession of the property, and has therefore, of course, received no revenue therefrom.

C. S. J.

The SPEAKER. Is there objection?

Mr. PAYNE. Mr. Speaker, this seems to be a very peculiar case. As I understand from the reading of the report—what I could hear of it—a levy was made in 1882 upon this real estate and an attempt made to sell it, and Mrs. Nowlin commenced an action in the courts of the United States and obtained an injunction. At least that is what the Solicitor of the Treasury has heard, but it does not appear that that suit was ever pressed further, and a sale of the property was made on this judgment.

Mr. LANHAM. Will the gentleman yield to me for a moment?

Mr. PAYNE. Certainly; I am looking for light.

Mr. LANHAM. I do not think it is difficult to obtain it if the gentleman looks at the report. It is a matter which has been carefully considered by the Committee on the Judiciary. At the time the property was sold it was not subject to execution for the debt of the husband. As her separate property, under the laws of Texas, it would be exempt from his debt.

Mr. PAYNE. According to the report and the letter of the Solicitor of the Treasury, that information depended upon a letter from somebody, and it does not say who.

Mr. LANHAM. That very statement is ratified and confirmed by what the district attorney himself said. The Government of the United States bought in the property, and it is simply the Government to quitclaim back that property to Mrs. Nowlin.

Mr. PAYNE. Yes; and it depends upon a letter, and it does not say from whom. If there was any title in this woman in these premises, how easy it would be to prove by record title that it was a homestead and not subject to execution; how easy to prove that by the record. But all the proof here depends upon a letter, and it does not say from whom. There does not seem to be any evidence to support it. It is very apparent that the party who acted in behalf of the United States did not push the claim, and did not attempt to take possession of the property.

Mr. LANHAM. For the very reason that the United States authorities have recognized the fact that there was no title in the defendant in execution, Mr. Nowlin; and it belonged, in point of fact, to his wife, and was not subject to execution.

Mr. PAYNE. Mr. Speaker, I am assured by the gentleman from Virginia that the papers presented before the Committee on the Judiciary showed a deed of this woman in this property.

Mr. OTEY. The solicitor.

Mr. PAYNE. The committee would understand its value. It is strange to me that it does not appear in their report.

Mr. LANHAM. Everything is not included in a report.

Mr. PAYNE. This whole matter seems to be founded on a letter, and they do not give the author.

Mr. LANHAM. You get the report made by a Government officer—the Solicitor of the Treasury—in favor of this bill. It received the recommendation of a high officer of the Government, whose duty it was to look into the matter.

Mr. PAYNE. I do not believe in adopting the recommendation of a high officer unless he states some facts and gives some information in this matter.

Mr. LANHAM. He does.

Mr. PAYNE. What he says is based on a letter received by somebody, that she owned the property as a homestead, and it was exempt, and all that sort of thing. There is no proof or record evidence. Now, unless they can furnish some proof of the validity of this claim, I must object.

Mr. LANHAM. I think you ought not to object to this.

Mr. PAYNE. I think it is easy enough, and I shall have to object.

The SPEAKER. Objection is made.

ORDER OF BUSINESS.

Mr. COOPER of Wisconsin. Mr. Speaker, I rise to present a conference report.

Mr. CURTIS. I ask unanimous consent for the present consideration of the bill H. R. 10701.

Mr. HAY. Mr. Speaker, I rise to a question of privilege.

The SPEAKER. The gentleman from Kansas asks unanimous consent for the present consideration of the bill which the Clerk will report.

Mr. COOPER of Wisconsin. I object.

Mr. HAY. I rise to a question of privilege.

Mr. COOPER of Wisconsin. I rise to present a conference report.

The SPEAKER. Objection is made.

Mr. HAY. I rise to a question of privilege.

Mr. COOPER of Wisconsin. I rise to present a conference report.

The SPEAKER. The gentleman from Virginia rises for what purpose?

Mr. HAY. I rise for the purpose of asking unanimous consent that the minority members of the Military Affairs Committee may file their views in the Cœur d'Alene investigation.

The SPEAKER. The gentleman from Virginia asks unanimous consent that the minority may file their views in the matter of the Cœur d'Alene investigation.

Mr. HAY. The majority reported to-day.

The SPEAKER. Is there objection?

Mr. PAYNE. What time, Mr. Speaker?

Mr. HAY. To be filed to-night.

The SPEAKER. Is there objection?

Mr. DICK. I object.

Mr. HAY. Mr. Speaker, in connection with that I desire—

The SPEAKER. No business will be transacted until the House comes to order. The Chair understands that objection is made, but there is so much confusion that the Chair was unable to hear. Does the gentleman from Ohio object?

Mr. RICHARDSON. Mr. Speaker, I want to say that I have never known the minority to be denied the right to file their views. Certainly the gentleman will not object to the minority filing their views the same day. The committee reported to-day. Now the minority simply come in and want to file their views. I do not know that they have to ask unanimous consent. I think it is a matter of right.

Mr. DICK. Mr. Speaker, I make no objection to the minority filing their views, but I do object to their making the printed hearings and the argument of the attorneys a part of their views. If they are included, I object.

The SPEAKER. The Chair will state to the gentleman from Ohio—

Mr. HAY. Mr. Speaker—

The SPEAKER. The Chair will state that he has ordered the Clerk to strike from the minority views those things which are not strictly the views of the minority. The Chair will advise the gentleman from Virginia that his instructions to the Clerk are that the views should not include arguments and testimony.

Mr. DICK. Then I withdraw the objection.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. RICHARDSON. Mr. Speaker, I protest against the right of the Chair to edit reports of committees, either when the report is submitted or the views of the minority. It seems to me the committee has the right to submit its own report.

The SPEAKER. The committee has the right to make its own report; there is no doubt about that; but the views of the minority are not a report.

Mr. HAY. I would like to be heard on this, Mr. Speaker.

The SPEAKER. There is only one thing before the House, and that is that the gentleman asks consent of the House to file the views of the minority.

Mr. HAY. But I want to ascertain what the views of the minority are. [Laughter.] I want to ascertain it by the House. The report made by us as the views of the minority contains the evidence which was given before the Committee on Military Affairs and the arguments of the attorney who appeared before us, and in order to sustain the views which we submit, we incorporate in these views, or in the report, that evidence and those arguments in order to sustain the views which we have submitted to the House. I maintain that in order that these views may be intelligently read and understood by the House we have a right to incorporate in those views the evidence that was adduced before the committee and any arguments made by counsel on either side who appeared before us.

The SPEAKER. The Chair has stated that that question is not now before the House; but the Chair is clear, if called upon to rule, that he has the right to direct the Clerk to expunge everything except the views of the minority. The argument which has just been submitted by the gentleman from Virginia to the Chair is a proper argument to make to the committee when making up the majority report. The Chair gives his opinion upon this, although it is not now before the House.

LUTIE M. NOWLIN.

Mr. PAYNE. Mr. Speaker, I objected to a bill a moment ago, and I wish to withdraw my objection.

The SPEAKER. Does the gentleman refer to the bill (H. R. 11008) called up by the gentleman from Virginia [Mr. OTEY]?

Mr. PAYNE. Yes. I see by looking over the report that the statement was based upon a letter from the district attorney who had charge of the case, and there seems to be some evidence in the report in regard to those facts that are there stated; so I withdraw the objection.

The SPEAKER. Is there further objection to the consideration of the bill called up by the gentleman from Virginia [Mr. OTEY]? [After a pause.] The Chair hears none.

The bill was ordered to be engrossed and read a third time; and being read the third time, was passed.

On motion of Mr. OTEY, a motion to reconsider the last vote was laid on the table.

INDIAN ALLOTMENTS.

The SPEAKER. Does the gentleman from Wisconsin object to the calling up of the bill by the gentleman from Kansas?

Mr. COOPER of Wisconsin. No, Mr. Speaker; I withdraw that objection.

Mr. CURTIS. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 10701) to amend section 6, chapter 119, United States Statutes at Large numbered 24.

The Clerk read the bill, as follows:

Be it enacted, etc., That section 6 of chapter 119 of the United States Statutes at Large numbered 24, page 330, is hereby amended as follows, to wit: After the words "civilized life," in line 13 of said section 6, insert the words "and every Indian in Indian Territory."

The SPEAKER. Is there objection?

Mr. STEELE. I ask for an explanation.

Mr. CURTIS. Under the act of 1896, as soon as allotments are made to an Indian he becomes a citizen of the United States.

Mr. LENTZ. Mr. Speaker, I ask for order, as I want to hear this explanation myself.

The SPEAKER. The House will be in order, and gentlemen will take their seats and cease conversation.

Mr. CURTIS. Mr. Speaker, the act of 1887, known as the Dawes allotment act, provided that when allotments are made to Indians they shall become citizens of the United States. The statute, however, was not made applicable to the members of the Five Civilized Tribes in the Indian Territory, because they had governments of their own, elected officers, and owned their property in common. But since that time agreements have been made with said Five Tribes. Their tribal governments are to be broken up; arrangements have been made for them to take their lands in severalty. The allotments are now being made or will soon be made, they have been given the right to vote in certain elections, they serve on juries, and they have the right to bring lawsuits, etc. The committee thought it proper, therefore, to extend over the members of the Five Civilized Tribes the provisions of the act of 1887.

Mr. SNODGRASS. Does that make them citizens?

Mr. CURTIS. It does.

Mr. SNODGRASS. Under existing treaties between the United States and those Five Tribes, have we the right to abolish their tribal government?

Mr. CURTIS. They have agreed to it. Agreements with them have been negotiated through the Dawes commission, and three of those agreements have been ratified by Congress, and the remaining two agreements passed the House a day or two ago.

Mr. SNODGRASS. Already?

Mr. CURTIS. Already; and allotments will soon be made to the members of some of the tribes. Work preparatory to allotment is now going on.

There being no objection, the House proceeded to the consideration of the bill, which was ordered to be engrossed and read a third time; and was accordingly read the third time, and passed.

On motion of Mr. CURTIS, a motion to reconsider the last vote was laid on the table.

PUBLIC MONEYS IN THE PHILIPPINE ISLANDS, ETC.

Mr. COOPER of Wisconsin. I rise to present a privileged report—the report of a committee of conference.

The report was read, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 9388) to provide better facilities for the safe-keeping and disbursement of public moneys in the Philippine Islands and in the islands of Cuba and Porto Rico, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate, and agree to the same with an amendment as follows:

At the end of line 10 of said Senate amendment strike out the period and insert the following: "And provided further, That this act shall apply to Cuba only while occupied by the United States;" and the Senate agree to the same.

H. A. COOPER,
R. R. HITT,
W. A. JONES,
Managers on the part of the House.

NELSON W. ALDRICH,
EDWARD O. WOLCOTT,
G. G. VEST,
Managers on the part of the Senate.

The statement of the House conferees was read, as follows:

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 9388) to provide better facilities for the safe-keeping and disbursement of public moneys in the Philippine Islands and the islands of Cuba and Porto Rico, submit the following written statement in explanation of the action agreed upon and recommended as to the Senate amendment and the amendment thereto, submitted in the accompanying conference report, viz:

The Senate amendment simply makes it mandatory upon any bank or banker designated as a depository to give security in United States bonds in amount not less than the aggregate sum at any time on deposit with such bank or banker, and that such bonds shall be deposited in the Treasury. The Senate amendment permits of no security excepting bonds of the United States.

The amendment to the Senate amendment is a proviso as follows, viz: "Provided, That this act shall apply to Cuba only while occupied by the United States."

This proviso was a part of the original House bill.

H. A. COOPER,
W. A. JONES,

Managers on the part of the House.

The report of the committee of conference was adopted.

DAM ACROSS THE OSAGE RIVER, MISSOURI.

Mr. COONEY. I ask unanimous consent for the present consideration of the bill (H. R. 11588) permitting the building of a dam across the Osage River at the city of Warsaw, Benton County, Mo.

The bill was read, as follows:

Be it enacted, etc., That the consent of Congress is hereby granted to the city of Warsaw, being a city incorporated and organized under the laws of the State of Missouri, its successors or assigns, to construct, erect, and maintain a dam across the Osage River, in Benton County, in the State of Missouri, at said city of Warsaw, and all work necessarily incident thereto: Provided, That the said city of Warsaw, its successors or assigns, shall make such change and modification in the works as the Secretary of War may from time to time deem necessary in the interest of navigation, at its own cost and expense: Provided further, That in case any litigation arises from the building of said dam, the maintaining of the same, or from the obstruction of the said river by said dam or appurtenant works, cases may be tried in the proper courts as now provided for that purpose in the State of Missouri and the courts of the United States.

SEC. 2. That the right to amend, alter, or repeal this act is hereby expressly reserved: *And provided further, That suitable fishways shall be constructed and maintained at said dam by said city, its successors and assigns, as may be required from time to time by the United States Fish Commissioner.*

Sec. 3. That this act shall be null and void unless the dam herein authorized shall be completed within five years of the date hereof: *And provided further, That such dam shall be constructed in such manner as not to injure or diminish the water power of any person or company having a dam or hydraulic works constructed: And provided further, That before the construction of said dam compensation shall be made to any person or company whose lands may be taken or overflowed in the construction or maintenance of such dam, in accordance with the laws of the State of Missouri.*

The amendment of the committee, striking out "five," before "years," in the second line of section 3, was read.

The SPEAKER. Is there objection to the present consideration of this bill?

Mr. PAYNE. Does the bill meet the approval of the Secretary of War?

Mr. COONEY. He has approved it.

There being no objection, the House proceeded to the consideration of the bill.

The SPEAKER. The first question is on agreeing to the amendment.

Mr. COONEY. On that question I would like to be heard a moment.

Several MEMBERS. Oh, let it go.

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

On motion of Mr. COONEY, a motion to reconsider the last vote was laid on the table.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PLATT, one of its clerks, announced that the Senate had passed the following resolutions:

Resolved. That the Senate has heard with profound regret the announcement of the death of Hon. EVAN E. SETTLE, late a Representative from the State of Kentucky.

Resolved. That the business of the Senate be now suspended in order that fitting tribute be paid to his memory.

Resolved. That the Secretary communicate these resolutions to the House of Representatives.

The message also announced that the Senate had insisted upon its amendments to the bill (H. R. 11537) making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1900, and for prior years, and for other purposes, disagreed to by the House of Representatives, had agreed to the conference asked by the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. HALE, Mr. ALLISON, and Mr. TELLER as the conferees on the part of the Senate.

The message also announced that the Senate had insisted upon its amendments to the bill (H. R. 11538) making appropriations for the support of the Military Academy for the fiscal year ending June 30, 1901, and for other purposes, disagreed to by the House of Representatives, had agreed to the conference asked by the House of Representatives on the disagreeing votes of the two Houses thereon, and had appointed Mr. SEWELL, Mr. WARREN, and Mr. HARRIS as the conferees on the part of the Senate.

The message also announced that the Senate had passed with amendments the bill (H. R. 11326) to regulate collection of taxes in the District of Columbia; in which the concurrence of the House was requested.

The message also announced that the Senate had passed without amendment the bill (H. R. 10147) granting a pension to Delia A. Jones.

The message also announced that the Senate had passed without amendment the following resolution:

Resolved by the House of Representatives (the Senate concurring). That during the remainder of the present session of Congress the engrossing and enrolling of bills and joint resolutions by printing, as provided by act of Congress approved March 2, 1895, may be suspended, and said bills and joint resolutions may be written by hand.

The message also announced that the Senate had passed without amendment the following resolution:

Whereas the late Hon. DENIS M. HURLEY, member of the Fifty-fifth Congress from the Second district of the State of New York, died on the 26th day of February, 1899, immediately preceding the final adjournment of the Fifty-fifth Congress:

Resolved by the House of Representatives (the Senate concurring). That members of the Senate and of the House be permitted to print in the Record appropriate remarks in eulogy of the said Hon. DENIS M. HURLEY, deceased.

The message also announced that the Senate had passed the following resolution; in which the concurrence of the House was requested:

Resolved by the Senate (the House of Representatives concurring). That the Public Printer do, and he is hereby, authorized and directed to print 65,000 copies of certain addenda to the history of the Red Cross, authorized to be printed and distributed by Senate concurrent resolution No. 42, Fifty-fifth Congress, second session, embracing the work of the Red Cross in Cuba and the Philippines, of which number 5,000 shall be for the use of the Senate, 10,000 for the use of the House of Representatives, and 55,000 for the use of American National Red Cross president. The said addenda herein provided for to be distributed by the president of the American National Red Cross shall be transmitted through the mails free of postage when contained in a wrapper bearing the following inscription: "Public document. History of the Red Cross. Free."

The message also announced that the Senate had insisted upon its amendments to the bill (H. R. 11646) making provision for emergencies in river and harbor works, for certain surveys, and for the diversion of certain appropriations or modifications of provisions heretofore made, disagreed to by the House of Representatives, had asked a conference with the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. McMILLAN, Mr. NELSON, and Mr. VEST as the conferees on the part of the Senate.

CLAIM OF NEW YORK INDIANS.

Mr. SHERMAN. I ask unanimous consent for the present consideration of the bill which I send to the Clerk's desk.

The Clerk read as follows:

A bill (H. R. 11818) to provide for the payment of the judgment of the Court of Claims in favor of the New York Indians, parties to the treaty of Buffalo Creek of January 15, 1838, and the distribution thereof.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized, empowered, and directed, on the requisition of the Secretary of the Interior, to pay off the amount appropriated by act of Congress of February 9, 1900, for the payment of the judgment against the United States in favor of the New York Indians, the sum of \$10,000, or so much thereof as may be necessary for ascertaining the beneficiaries of the said judgment, and paying to them the sum properly payable in the premises; and, further, that out of the amount so appropriated for the payment of the said judgment there be retained and paid by the proper officers to the attorneys engaged in the prosecution of the claim resulting in said judgment such sum or sums as shall have heretofore been ascertained and approved by the Commissioner of Indian Affairs and the Secretary of the Interior, as payable in accordance with contracts with the said Indians heretofore approved by the said Commissioner of Indian Affairs and the Secretary of the Interior, and that the remainder of the amount of the said judgment be paid and distributed to the proper beneficiaries thereof, as ascertained in accordance with the provisions hereof.

Mr. LIVINGSTON. Before we consent to bringing up this bill I should like to hear some explanation. Does the bill carry any appropriation?

Mr. SHERMAN. It carries no appropriation. The amount of this claim has been appropriated in the special deficiency bill, which passed the House the latter part of January or the first of February. The appropriation for this, like all other judgments, was made on a certificate from the Treasury Department.

The claims of these Indians arise from certain stipulations in the treaty of 1838. The matter has been in the courts thirty or forty years. It has been two or three times in the Court of Claims, and twice before the Supreme Court of the United States, which court in the latter part of last year affirmed the final decision of the Court of Claims, and in pursuance of that affirmation the Treasury Department certified the judgment here for payment, and the Committee on Appropriations reported it as an item in the deficiency bill of June last; and the appropriation was made.

Now, Mr. Speaker, since this treaty was made, in the natural course of events many of these Indians have died, others, as well as the descendants of those who have died, are scattered all over the United States, and it is extremely desirable to ascertain who are the beneficiaries under the judgment to which I have referred. This bill provides for an expenditure on the part of the Secretary of the Interior of the sum of \$10,000 for the purpose of ascertaining who are the beneficiaries under that section.

Besides that, let me say the Indians made a contract with the lawyers originally having the claims in charge, providing for the payment of 10 per cent of whatever was recovered as a compensation for their services. But the matter occupied so much time and involved so much more labor and expens than was originally contemplated that finally, two years ago—I think in 1895—the Indians entered into a subsequent contract with the attorneys, by which they agreed to pay them 2½ per cent additional, and that contract has been approved by the Secretary of the Interior and proper certificates have been made to the attorneys out of the judgment for that additional sum. But the auditing officer of the Treasury, as I understand it, holds that that contract having been made subsequently to the beginning of the service, he can not allow the payment, and hence the last section of this bill authorizes the accounting officer of the Treasury to allow this supplemental 2½ per cent provided for by the voluntary agreement of the Indians, and, as I have said, which has been approved by the Secretary of the Interior.

Mr. LIVINGSTON. Does the Secretary of the Interior indicate how he will expend this \$10,000?

Mr. SHERMAN. No; but he asks the introduction of the bill. It is at his request that the bill has been presented and that I now ask its passage.

Mr. CURTIS. Of course he could not go very far with an expenditure of \$10,000. He must rely largely upon his own official force.

Mr. SHERMAN. Certainly. I suppose he expects to gather more or less of the information from the ordinary channels of his Department, and this \$10,000 additional will enable him to go outside if he deems it necessary.

Mr. RIDGELY. Will the gentleman from New York permit me to ask him a question?

Mr. SHERMAN. Certainly.

Mr. RIDGELY. This is a judgment, as I understand it, in favor of the New York Indians?

Mr. SHERMAN. It is.

Mr. RIDGELY. Now, in reference to that, I want to ask the gentleman—

Mr. LENTZ. I would like to ask the gentleman from New York a question.

Mr. SHERMAN. I will yield to the gentleman with pleasure as soon as I answer the question of the gentleman from Kansas.

Mr. LENTZ. I supposed it had been already answered. I have been unable to hear anything that is going on over there.

Mr. SHERMAN. I will yield to the gentleman in a moment.

Mr. RIDGELY. The gentleman from New York will doubtless remember that I passed into the committee room a request from certain clients asking that the findings as to the beneficiaries of this judgment might be appealed from the Secretary of the Interior to the court. The gentleman will doubtless remember that. Now I will ask him if there is any such provision in the pending bill?

Mr. SHERMAN. No, sir; we did not insert it, and for this reason: The committee did not desire to start these Indians off on another long series of litigation that would tie up the fund for a great length of time or for the Lord knows how much longer. We desire, at the earliest moment, that this matter should be settled, and that whatever they were entitled to should be paid to them and the matter be cleared off the books of the Interior Department.

Mr. RIDGELY. Then, as I understand it, that matter has been passed over, and this bill leaves the whole thing entirely with the Secretary of the Interior?

Mr. SHERMAN. That is correct.

Mr. RIDGELY. And there is no power of appeal from his decision?

Mr. SHERMAN. That is correct.

Mr. CURTIS. That is customary in all cases of this kind.

Mr. RIDGELY. I would then ask the gentleman from New York if the gentleman presenting the petition that this matter might be appealed was before the committee, or if he sent in his proposed amendment? I do not recall the gentleman's name.

Mr. SHERMAN. I do not remember the name of the gentleman either, but the attorney who appeared before the committee, away back in February or March, approved of the passage of the bill in its present form.

Mr. SULZER. Mr. Speaker, will the gentleman allow a question?

Mr. SHERMAN. When the gentleman from Kansas [Mr. RIDGELY] has finished.

Mr. RIDGELY. You will remember that this attorney submitted a draft of a bill which he preferred to the one you have reported.

Mr. SHERMAN. The gentleman I have in mind as appearing before the committee afterwards desired to withdraw his request for that bill, and did ask for the passage of this bill, which the Secretary of the Interior has recommended.

Mr. RIDGELY. Did he not, even after that, communicate further with you?

Mr. SHERMAN. He did not.

Mr. RIDGELY. I so understood him.

Mr. LENTZ rose.

Mr. SULZER. Now, will the gentleman allow a question?

Mr. SHERMAN. The gentleman from Ohio [Mr. LENTZ] desires to ask a question first.

Mr. LENTZ. I understand that the amount of this claim is a million and a half. Is that right?

Mr. SHERMAN. Better than that.

Mr. LENTZ. More than that?

Mr. SHERMAN. More than a million and a half.

Mr. LENTZ. Is it two million?

Mr. SHERMAN. About \$2,000,000.

Mr. LENTZ. The first contract was for 10 per cent for the attorney.

Mr. SHERMAN. That is correct.

Mr. LENTZ. That was for \$200,000.

Mr. SHERMAN. The gentleman is a mathematician.

Mr. LENTZ. Now you want two and a half per cent more.

Mr. SHERMAN. I do not want anything. That is what the contract provides for.

Mr. LENTZ. That would make an attorney's fee of \$250,000.

Mr. SHERMAN. That would mean fees for various attorneys, who have performed services for more than fifty years, some of them. Judge Barker, now a gentleman over 80 years old, and who has been for thirty years a judge of the supreme court of the State of New York, is one of these attorneys.

Mr. LENTZ. Then, in addition to the \$250,000, you speak here of \$10,000 to be paid to somebody for determining who are the beneficiaries?

Mr. SHERMAN. That is correct.

Mr. LENTZ. Have not these attorneys found that out?

Mr. SHERMAN. The attorneys were employed by certain claimants to prosecute a certain matter to final judgment. They have done that. Many of the original parties to that transaction are dead, and it is now desired to ascertain who are the proper legal representatives or descendants of those original parties.

Mr. LENTZ. I am going to object, unless the gentleman will

consent to print a few thousand copies of the testimony in the Cœur d'Alene labor trouble. I will ask unanimous consent to have the Senate resolution, which provides for printing 10,000 copies, go with this. The plates are all made. It is a mere matter of running white paper over some ink.

Mr. PAYNE. It is of no use for the gentleman to make that statement.

Mr. LENTZ. Unless we can have copies of that testimony—

The SPEAKER. Does the Chair understand the gentleman from Ohio to object?

Mr. LENTZ. I object, unless I can have unanimous consent for the printing of 10,000 copies of the Cœur d'Alene labor investigation provided by the Senate resolution.

Mr. PAYNE. There will be no such bargain made.

The SPEAKER. Objection is made.

RIGHTS OF WAY THROUGH CERTAIN PUBLIC LANDS.

Mr. DE VRIES. I ask unanimous consent for the present consideration of the bill (H. R. 11973) relating to rights of way through parks, reservations, and other public lands.

Mr. LENTZ. Mr. Speaker, I reserve the right to object.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and hereby is, authorized and empowered, under general regulations to be fixed by him, to permit the use of rights of way through the public lands, forest and other reservations of the United States, and the Yosemite, Sequoia, and General Grant national parks, California, for electrical plants, poles, and lines for the generation and distribution of electrical power, and for telephone and telegraph purposes, and for canals, ditches, pipes and pipe lines, flumes, tunnels, or other water conduits, and for water plants, dams, and reservoirs used to promote irrigation or mining or quarrying, or the manufacturing or cutting of timber or lumber, or the supplying of water for domestic, public, or any other beneficial uses to the extent of the ground occupied by such canals, ditches, flumes, tunnels, reservoirs, or other water conduits or water plants, or electrical or other works permitted hereunder, and not to exceed 50 feet on each side of the marginal limits thereof, or not to exceed 50 feet on each side of the center line of such pipes and pipe lines, electrical, telegraph, and telephone lines and poles, by any citizen, association, or corporation of the United States, where it is intended by such to exercise the use permitted hereunder or any one or more of the purposes herein named: *Provided*, That such permits shall be allowed within or through any of said parks or any forest, military, Indian, or other reservation only upon the approval of the chief officer of the Department under whose supervision such park or reservation falls and upon a finding by him that the same is not incompatible with the public interest: *Provided further*, That all permits given hereunder for telegraph and telephone purposes shall be subject to the provision of Title LXV of the Revised Statutes of the United States, and amendments thereto, regulating rights of way for telegraph companies over the public domain: *And provided further*, That any permission given by the Secretary of the Interior under the provisions of this act may be revoked by him or his successor in his discretion, and shall not be held to confer any right, or easement, or interest in, to, or over any public land, reservation, or park.

The SPEAKER. Is there objection?

Mr. PAYNE. Mr. Speaker, this bill was up before the House several weeks ago. Since that time I understand the gentleman from California [Mr. DE VRIES] and the gentleman from Massachusetts [Mr. MOODY] have gone over the bill carefully and proposed certain amendments. I suggest that the proposed amendments be read first before consent is given.

Mr. DE VRIES. The change has come in the form of an amendment.

Mr. LACEY. This is the substitute bill.

Mr. PAYNE. A substitute.

Mr. SHAFROTH. A new bill was introduced covering the ground.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The bill was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

On motion of Mr. DE VRIES, a motion to reconsider the vote by which the bill was passed was laid on the table.

PAN-AMERICAN EXPOSITION, BUFFALO, N. Y.

Mr. COUSINS. Mr. Speaker, I ask unanimous consent for the present consideration of the resolution which I send to the desk.

The Clerk read as follows:

House joint resolution 7, authorizing foreign exhibitors at the Pan-American Exposition, to be held in Buffalo, N. Y., in 1901, to bring to this country foreign laborers from their respective countries for the purpose of preparing for and making their exhibits under regulations prescribed by the Secretary of the Treasury.

Strike out all after the enacting clause and insert the following:

"That the act of Congress approved February 28, 1885, prohibiting the importation of foreigners under contract to perform labor, and the acts amendatory of these acts, shall not be construed, nor shall anything therein operate to prevent, hinder, or in any wise restrict any foreign exhibitor, representative, or citizen of a foreign nation, or the holder of any concession or privilege from the Pan-American Exposition Company, of Buffalo, N. Y., from bringing into the United States, under contract, such mechanics, artisans, agents, or other employees, natives of foreign countries, as they or any of them may deem necessary for the purpose of making preparations for installing or conducting their exhibits, or of preparing or installing or conducting any business authorized or permitted under or by virtue of or pertaining to any concession or privilege which may have been granted by the Pan-American Exposition Company, of Buffalo, N. Y., in connection with such exposition: *Provided, however*, That any alien who, by virtue of this act, enters the United States under contract to perform labor, may not remain in the

United States for more than three months after the close of the exposition, and he shall thereafter be subject to all the processes and penalties applicable to aliens coming in violation of the alien contract-labor law aforesaid: *And provide further,* That this resolution shall not be construed as applying to the acts of Congress prohibiting the coming of Chinese persons into the United States."

The SPEAKER. Is there objection?

Mr. LENTZ. I object, unless we can have this testimony printed.

The SPEAKER. Objection is made by the gentleman from Ohio.

SAC AND FOX INDIANS.

Mr. SHERMAN. Mr. Speaker, I desire to present a privileged resolution, a resolution of inquiry.

The SPEAKER. The gentleman will send it to the desk.

Mr. SHERMAN. I am directed by the Committee on Indian Affairs to present the following resolution and ask for its passage.

The Clerk read as follows:

House resolution 230.

Resolved, That the Secretary of the Treasury be, and he is hereby authorized and directed to cause an examination to be made and to report to the House, as early as may be practicable, what were the numbers of the respective portions of the confederated tribes of Indians, known as the Sac and Fox of the Mississippi, receiving annuities at the two agencies having charge of the respective portions of the tribes, as shown by the original accounts of the proper disbursing officers on file in the proper bureau of the Treasury Department, from 1867 to 1899, both inclusive, and the amounts of the tribal annuities paid to or expended for each portion of said tribes, and to state accounts in detail showing any unequal apportionment and distribution of said tribal annuities to that portion of the tribes residing in the State of Iowa, first, on the basis of the whole of the annuities, and, second, on the basis of what remained of the annuities after deducting such amounts as were annually expended to meet the specific requirements of treaty provisions.

Also to report what would have been the amounts of the shares, on the same basis, of that portion of the tribes residing in the State of Iowa for the period from 1855 to 1860, both inclusive, during which time no portion of the tribal annuities were paid to or expended for them, as reported to Congress by the Secretary of the Interior March 12, 1896 (Senate Document No. 167, Fifty-fourth Congress, first session); and for this latter purpose the Secretary of the Treasury will ascertain from the Secretary of the Interior the best information afforded by his Department as to the numbers of said Indians residing in the State of Iowa for each year during the latter period. The Secretary of the Treasury will also report what amount, if any, of the salary of the principal chief of the Fox Indians of said confederated tribes, for the period from 1855 to 1860, both inclusive, is shown to have been paid to him, furnishing his name, from the tribal annuities as required by the fourth article of the treaty of 1842 and the ninth article of the treaty of 1867 with said Indians.

Mr. LENTZ. I reserve the point of order until I can know something about this.

Mr. SHERMAN. Mr. Speaker, if the gentleman has any point of order I would be glad to have him make it now.

Mr. LENTZ. I want to know what this bill means.

The SPEAKER. Is this reported from the Committee on Indian Affairs?

Mr. SHERMAN. Yes, sir; it is the unanimous report of the Committee on Indian Affairs. And it is purely a resolution of inquiry.

The SPEAKER. The question is privileged. The question is on agreeing to the resolution.

The question was taken, and the resolution was agreed to.

JAMES M. GREGORY.

Mr. LIVINGSTON. Mr. Speaker, on April 2, 1896, a gentleman by the name of Murray wrote a letter to Congress, which was published, defaming and slandering Professor Gregory, of Columbia University, and that letter went into the RECORD. Since that time he has learned his mistake, and I hold in my hand his letter of retraction. I simply want this letter of retraction to go into the RECORD to offset that letter of slander which he perpetrated on that professor and which is a matter of record of the House.

The SPEAKER. Is there objection to the request of the gentleman?

Mr. PAYNE. I did not hear what the request was.

The SPEAKER. The request was for the publication of a document in the RECORD.

Mr. PAYNE. I did not hear what it was.

Mr. LIVINGSTON. I have said that Daniel Murray sent a letter to Congress, which was published in the RECORD, stating that Professor Gregory, who was a teacher in Columbia University, had been guilty of wrongdoing, and they are enumerated. His letter is in the RECORD. He has recently ascertained he was mistaken, and that there was not a word of truth in his allegations. In justice to Professor Gregory, he wants the retraction to go into the RECORD. That is all there is in it.

Mr. PAYNE. It has no connection with the Coeur d'Alene inquiry?

Mr. LIVINGSTON. Not a bit of it; and there is no politics in it.

The SPEAKER. The Chair hears no objection, and the authority is given.

The communications are as follows:

Memorial of Prof. James M. Gregory.

To the House of Representatives:

Your memorialist represents that on or about the 2d day of April, A. D. 1896, a letter to Daniel Murray appeared on the CONGRESSIONAL RECORD making statements derogatory to my character, which statements the said Murray has since retracted, as appears by his communication to Governor Sayers, hereto attached.

I respectfully pray that the same may be inserted in the CONGRESSIONAL RECORD, to the end that the retraction may also appear of record.

JAMES M. GREGORY.

To the public:

On April 2 in 1896 I wrote and transmitted to Congress a letter, which appears on page 3850 in No. 94 of volume 28 of the CONGRESSIONAL RECORD, as follows:

LIBRARY OF CONGRESS.

Governor SAYERS:

The paper presented by Mr. LIVINGSTON, of Georgia, was inspired by one Prof. James M. Gregory, who was dismissed from the university for borrowing money from the students and others and refusing to pay the same.

The same individual was several years ago appointed trustee of the public schools of the District of Columbia, and was dismissed by the District Commissioners for selling teacherships in the public colored schools. I, myself, aided in bringing this dishonest practice to the attention of the Commissioners.

DANIEL MURRAY.

Since that date, namely, on the 9th day of April, 1896, an action for libel was brought against me by Prof. James M. Gregory for \$50,000, in which it was alleged that Professor Gregory had been grossly libeled by the above communication. This communication to Governor Sayers was written by me in haste and in the belief that its statements were true. In this I was mistaken. I have made a thorough investigation since the filing of this suit against me and I find that Professor Gregory, after serving for twenty-five years in the faculty of the university as instructor and professor of Latin, was deprived of his chair by the following resolution:

Resolved, That with thanks to Professor Gregory for his past services, his employment as professor of this university be terminated with the close of the present school year, and that the treasurer be authorized to pay Professor Gregory the sum of \$50 extra salary after this year.

At the time of the transmission of the communication to Governor Sayers, I was of the opinion that the reason for this action upon the part of the board of trustees was as stated in said communication, but I find that such an opinion is not substantiated by the records of the university. In regard to Professor Gregory's service as trustee of the public schools of the District of Columbia, I find that he served for seven years as such trustee, and at the end of that period resigned from this office and was not dismissed, as is erroneously set forth in the communication to Governor Sayers.

There was a further error in my statement in the last paragraph of the said communication. It is true that I aided in bringing this matter against Professor Gregory before the Commissioners of the District of Columbia, but upon investigation Professor Gregory was vindicated, as will be shown by the record of the investigation.

I am moved to make this retraction by the fact that I believe that I have done Professor Gregory a great wrong and wish to make this reparation.

DANIEL MURRAY.

Witness to signature:

A. A. BIRNEY.

ADDITIONAL FOLDERS.

Mr. JOY. Mr. Speaker, I call up a privileged report from the Committee on Accounts.

The Clerk read as follows:

House resolution 279.

Resolved, That the Doorkeeper of the House is authorized to retain upon the rolls until the beginning of the second session of the Fifty-sixth Congress in December, 1900, the 14 additional folders in the folding room of the House provided for in a resolution of the House adopted February 8, 1900, said employees to be paid out of the contingent fund of the House at the same rate of compensation they are now receiving.

The amendment recommended by the committee was read, as follows:

In line 4, after the word "hundred," strike out the word "the."

Mr. LENTZ. Mr. Speaker, I object, unless they are put to folding this testimony in the Coeur d'Alene labor trouble.

The SPEAKER. The question is on agreeing to the amendment to the resolution.

The question was taken; and the amendment was agreed to.

The resolution as amended was agreed to.

Mr. JOY. Mr. Speaker, I also present the following resolution:

Resolution to pay the officers and employees of the Senate and House of Representatives for the month of June on the day following final adjournment.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Senate and the Clerk of the House of Representatives be, and they are hereby authorized and directed to pay the officers and employees of the Senate and House of Representatives their respective salaries for June, 1900, on the day next following the final adjournment of Congress.

The resolution was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

Mr. JOY. Mr. Speaker, I also present the following House resolution, No. 255, from the Committee on Accounts.

The Clerk read as follows:

Resolved, That the postmaster of the House be, and he is hereby authorized to continue the messenger in charge of the heavy mail wagon from the 1st day of July, 1900, to December 3, 1900, and that such messenger be paid by the Clerk of the House out of the contingent fund of the House, at the same rate of compensation he now receives.

Mr. JOY. Mr. Speaker, I desire to say that this is the usual

resolution for handling all the pamphlets that go out in the campaign year.

The resolution was agreed to.

Mr. JOY. Mr. Speaker, I also present the following House resolution, No. 290:

The Clerk read the resolution, as follows:

Resolved, That there be paid out of the contingent fund of the House to Daniel Weeden, for services in the lavatory of the House from April 26 to June 6, 1900, at the rate of \$10 per week, \$60, said Weeden's services having been necessary by reason of the sickness of the regular employee, James E. Dent.

Mr. UNDERWOOD. Will not the gentleman from Missouri agree to an amendment which I will have read from the Clerk's desk?

Mr. JOY. I do not know, Mr. Speaker, that I am authorized to agree to any amendment.

Mr. RICHARDSON. I think if the gentleman will hear the amendment read he will have no objection to it.

Mr. PAYNE. Let it be read for information.

The SPEAKER. Without objection, the amendment will be read for the information of the House.

The Clerk read as follows:

Resolved, That the Doorkeeper of the House be, and he is hereby authorized to place the name of Albert Scott on the rolls of the House as a laborer, to be paid at the rate of \$50 per month from the contingent fund, during the remainder of the Fifty-sixth Congress, subject to the jurisdiction of the Doorkeeper of the House.

Mr. PAYNE. I would like to ask the gentleman from Alabama if the number of employees on the part of the minority is not greater in this Congress than ever before?

Mr. UNDERWOOD. I do not know whether that is the fact or not; I believe it is. But I will say to the gentleman from New York that this is not an extraordinary employee. It is one of the employees formerly working on the Democratic side of the House, who was formerly on the regular pay roll, the annual pay roll of the House; but since the employees of the Democratic cloakroom have been taken off the annual list it has been customary to pass this resolution. It was done in the Fifty-fourth Congress and in the Fifty-fifth.

Mr. PAYNE. We passed a resolution yesterday for one of these employees.

Mr. UNDERWOOD. Yes; and this is the other one. Same two. [Laughter.]

Mr. PAYNE. Unless we can have the Cœur d'Alene matter printed, I object. [Laughter.]

The SPEAKER. Objection is made.

The resolution was agreed to.

Mr. JOY. Mr. Speaker, I also present the following adverse report on the House resolution No. 237:

Resolved, That the Clerk of the House is hereby authorized and directed to pay, out of the contingent fund of the House, Frederick Schwab for services performed as a folder to February 1, 1900, at the rate of \$75 a month.

With an adverse report and recommendation that it lie on the table.

The SPEAKER. Without objection, the report will lie on the table.

There was no objection.

SARAH W. ROWELL.

Mr. LOUDENSLAGER. Mr. Speaker, I present the following conference report. I ask that the reading of the report be dispensed with and that the statement be read.

The report is as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House of Representatives to the bill, S. 297, "An act granting an increase of pension to Sarah W. Rowell," having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House, and agree to the same with an amendment as follows:

In line 9, after the word "receiving," insert "and \$2 per month additional on account of each of the two minor children of said Charles W. Rowell until such children shall arrive at the age of 16 years."

And the House agree to the same.

H. C. LOUDENSLAGER,
J. H. BROMWELL,
S. W. DAVENPORT,
Managers on the part of the House.

J. H. GALLINGER,
GEO. L. SHOUP,
GEORGE TURNER,
Managers on the part of the Senate.

The Clerk read the statement, as follows:

The managers on the part of the House in the conference on the disagreeing votes of the two Houses on Senate bill No. 297, granting an increase of pension to Sarah W. Rowell, report that the Senate passed the bill with the rate of \$40 per month, and the House amended it to \$60 per month. The Senate recedes from its disagreement to the amendment of the House, and agrees to the same.

The conference also agrees to an amendment, in line 9, after the word "receiving," to insert "and \$2 per month additional on account of each of the two minor children of said Charles W. Rowell until such children shall arrive at the age of 16 years."

H. C. LOUDENSLAGER,
J. H. BROMWELL,
S. W. DAVENPORT.

Mr. LOUDENSLAGER. Mr. Speaker, I move the adoption of the report.

The conference report was agreed to.

ROBERT C. ROGERS.

Mr. LOUDENSLAGER. I send to the desk a conference report on Senate bill 1489, granting an increase of pension to Robert C. Rogers. I ask that the reading of the report be dispensed with and that the statement of the House conferees be read instead.

There was no objection.

The report is as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House of Representatives to the bill S. 1489, "An act granting an increase of pension to Robert C. Rogers," having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House, and agree to an amendment as follows:

In lieu of the sum proposed by the House insert "twenty;" and the House agree to the same.

H. C. LOUDENSLAGER,
J. H. BROMWELL,
S. W. DAVENPORT,
Managers on the part of the House.
J. H. GALLINGER,
P. J. McCUMBER,
WILLIAM LINDSAY,
Managers on the part of the Senate.

The statement of the House conferees was read, as follows:

The managers on the part of the House in the conference on the disagreeing votes of the two Houses on Senate bill No. 1489, granting an increase of pension to Robert C. Rogers, report that the Senate passed the bill with the rate of \$25 per month, and the House amended it to \$16 per month. At the conference the Senate receded from its disagreement to the House amendment, and the House receded from its amendment of \$16 per month, and the conferees agreed to insert \$20 per month.

H. C. LOUDENSLAGER,
J. H. BROMWELL,
S. W. DAVENPORT.

The report was agreed to.

EXTENSION OF COLUMBIA ROAD.

Mr. PEARRE submitted the following conference report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7560) for the extension of Columbia road east of Thirteenth street, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 4, 5, 6, 7, 8, and 9, and agree to the same.

Amendment numbered 10: That the House recede from its disagreement to the amendment of the Senate numbered 10, and agree to the same with an amendment as follows: Add to said amendment the following:

"The Commissioners of the District of Columbia are hereby authorized and directed to make application to the supreme court of the District of Columbia holding a district court, for the final ratification and confirmation of the awards of the jury for and in respect to the land condemned for the extension of Eleventh street; and said awards, when so ratified, shall be paid as provided by said act of March 3, 1899, anything in said act to the contrary notwithstanding. And in the event that the assessments for benefits levied by the jury in relation to said Eleventh street shall for any reason be declared void, the said Commissioners of the District of Columbia are authorized and directed to make application to said court for a reassessment of such benefits under and in accordance with the provisions of this act."

And the Senate agree to the same.

Amendment numbered 11: That the House recede from its disagreement to the amendment of the Senate numbered 11, and agree to the same with an amendment as follows: In lieu of the said amendment insert the following:

"SEC. 13. That the name of Four-and-a-half street NW., is changed to Fourth street NW."

And the Senate agree to the same.

J. W. BABCOCK,
GEO. A. PEARRE,
A. C. LATIMER,
Managers on the part of the House.
JAMES M. Mc MILLAN,
REDFIELD PROCTOR,
THOMAS S. MARTIN,
Managers on the part of the Senate.

The statement of the House conferees was read, as follows:

The bill as it passed the House provided for the extension of Columbia road according to the forms in use before the recent decision of the District court of appeals declared the existing law unconstitutional. The amendments of the Senate provide what is believed to be a constitutional law for street openings, and the openings of streets as already provided for are brought within the scope of the act.

The conference report was adopted.

KIOWA, COMANCHE, AND APACHE INDIANS.

Mr. CURTIS. I send to the desk a conference report on Senate bill 235, to ratify an agreement with the Indians of the Fort Hall Indian Reservation, in Idaho, and making appropriations to carry the same into effect.

I ask that the reading of the report be dispensed with and that the statement of the House conferees be read.

There was no objection.

[For the report of the committee of conference, see Senate proceedings.]

The statement of the House conferees was read, as follows:

The managers of the conference on the part of the House make the following statement, to accompany the report on bill S. 236:

The Senate receded from its disagreement to the amendments of the House with amendments.

The first amendments were in regard to the opening of the lands on the Fort Hall Reservation, and were simply to make the provisions more definite and certain.

In the Kiowa, Comanche, and Apache agreement the Senate receded with an amendment making the allotment of 160 acres of land to each of the members of the various tribes mentioned in the agreement and also reserving from the provisions of the agreement an amount of 480,000 acres of land to be selected by the Secretary of the Interior, to be held in common by said Indians for grazing purposes. This change simply reduces the number of acres to be opened from 2,500,000 acres to about 2,000,000 acres.

The other amendment was in regard to the payment of the money which was to be paid to said Indians by the terms of the agreement. The change is made so as to allow \$500,000 to be paid at such times and in such manner as the Secretary of the Interior may deem for the best interests of the Indians.

The \$1,500,000 to be paid is to be placed in the Treasury to the credit of the Kiowa, Comanche, and Apache tribe of Indians, but in the event the suit which is authorized to be brought is decided in favor of the Chickasaw and Choctaw tribes of Indians, and they are declared to have an interest in such lands, then said sum of \$1,500,000 is to be subject to such legislation as Congress may deem proper and is not appropriated in this bill.

Mr. PAYNE. Mr. Speaker, under the bill as passed by the House the sum of \$2,000,000, as I understand, was to be paid to one of these tribes, the money to be deposited subject to the disposition of the suit now pending in the Supreme Court of the United States for that amount—a claim brought against this tribe.

Mr. CURTIS. There are two tribes of Indians, the Chickasaws and the Choctaws, claiming an interest in this land. We have provided in the bill for bringing of a suit to determine whether or not they have any interest in it; and in event the suit is decided in favor of the Choctaw and Chickasaw tribes, the \$1,500,000 is subject to such legislation as Congress may deem proper.

Mr. PAYNE. I understand that; but I understand also that litigation is pending between those two tribes—

Mr. CURTIS. No.

Mr. PAYNE. And that an appeal is to be heard, or has been heard, in the Supreme Court of the United States.

Mr. CURTIS. No; it is a case between the Choctaw and Chickasaw tribes and the Wichita tribe; but the same question is raised.

Mr. PAYNE. Does not this amount to \$2,000,000?

Mr. CURTIS. Oh, no; these Indians claim an interest in the land; and if settlement should be made on the same basis as that made in the Fifty-second Congress, \$1,500,000 will about cover the amount.

Mr. PAYNE. Is it not asserted that the claim is worth \$2,000,000?

Mr. CURTIS. No; they claim an interest in the land; but there is no amount fixed.

Mr. PAYNE. Why is it, when the House, as I understand, put in the provision to have \$2,000,000 set aside to satisfy this claim, that the conferees have reported only \$1,500,000?

Mr. CURTIS. The House did not set aside that amount; the House bill provided for placing the money as it was received into the Treasury and for its being held until the case was decided. The Senate refused to agree to that provision and insisted upon the payment of \$500,000, and it was agreed in conference that such payment should be made, but that the \$1,500,000 should be held, as I have before stated, and the same could be used as the House saw proper.

Mr. PAYNE. Shall we be able to cover these claims in case this tribe should succeed in the suit?

Mr. CURTIS. On the basis of the settlement for another portion of these same lands, yes.

Mr. PAYNE. On a settlement, but not under a lawsuit?

Mr. CURTIS. It was settled by an act of Congress before, and whatever the Government agreed to pay these Indians will have to be paid. It is a question of appropriation to be made by the House and Senate.

Mr. PAYNE. It would seem that we are paying \$1,500,000 in this bill without having fully heard the claim.

Mr. CURTIS. No; it is provided that the money shall be held back subject to such action as may be proper to be taken. Congress may pay all, it may not pay a dollar, or it may pay the claim in part.

Mr. PAYNE. But representatives of the Indians assert that this claim is worth \$2,000,000.

Mr. CURTIS. Oh, no; they have never made that claim. In the Fifty-second Congress they claimed only about 80 cents an acre, and at that rate this land would about cover the amount the tribes would claim from the Government.

Mr. PAYNE. How many acres are there?

Mr. CURTIS. Two million acres opened for settlement.

Mr. PAYNE. At 80 cents an acre 2,000,000 acres would amount to \$1,600,000.

Mr. CURTIS. Well, that is about as near as we can get at it.

Mr. PAYNE. It only cheats these Indians out of about \$200,000—in case the claim is allowed, of course.

Mr. CURTIS. I do not say that 80 cents an acre will settle the claim, but it is about that.

Mr. PAYNE. Of course I admit that ample provision ought to be made to pay the Indians in this case what is due them, but I do not think that this provision will accomplish that end.

Mr. CURTIS. The conferees thought that ample provision was made in the bill.

Mr. PAYNE. I think a decision by the courts has already been made in the case and decided in favor of the Indians.

Mr. CURTIS. Oh, no; not at all. It will probably be decided by the Supreme Court at the October term.

The SPEAKER. The question is on agreeing to the report of the committee of conference.

The report was agreed to.

NATIONAL WHITE CROSS OF AMERICA.

Mr. MUDD. Mr. Speaker, I submit a conference report at this time and ask its immediate consideration.

The SPEAKER. The report will be read.

The Clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House of Representatives to the bill (S. 258) to incorporate the National White Cross of America, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House numbered 1, and agree to the same.

That the Senate recede from its disagreement to the amendment of the House numbered 2, and agree to the same.

That the Senate recede from its disagreement to the amendment of the House numbered 3, and agree to the same.

That the Senate recede from its disagreement to the amendment of the House numbered 4, and agree to the same.

That the Senate recede from its disagreement to the amendment of the House numbered 5, and agree to the same.

That the Senate recede from its disagreement to the amendment of the House numbered 6, and agree to the same with an amendment as follows:

Strike out all of section 3 and insert in lieu thereof the following:

"SEC. 3. That said National White Cross of America shall report annually to the Commissioners of the District of Columbia concerning its proceedings, together with an itemized statement of all receipts and expenditures which shall be made by them, and transmitted to Congress."

SYDNEY E. MUDD,

S. W. SMITH,

T. W. SIMS,

Managers on the part of the House.

H. C. LODGE,

C. D. CLARK,

H. D. MONEY,

Managers on the part of the Senate.

The statement of the House conferees is as follows:

The House made several amendments to the Senate bill. Amendments numbered from 1 to 4, inclusive, correct mistakes in names of incorporators; No. 5 added the name of E. J. Roche, of New York, as one of the incorporators. The conferees recommend that the Senate recede from said amendments.

The conferees further recommend that the Senate recede from its disagreement to House amendment striking out section 3 of the bill and agree to same with an amendment inserting in lieu of said section a provision requiring the said National White Cross of America to make a report of their proceedings and an account of their receipts and expenditures annually to the Commissioners of the District of Columbia, to be by them transmitted to Congress.

SYDNEY E. MUDD,

S. W. SMITH,

T. W. SIMS,

Conferees on the part of the House of Representatives.

The report was agreed to.

OLD CONGRESSIONAL LIBRARY ROOMS.

Mr. DALZELL. Mr. Speaker, I submit a conference report.

The SPEAKER. The report will be read.

The Clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the joint resolution (S. R. 28) relating to the use of the rooms lately occupied by the Congressional Library in the Capitol having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House, and agree to the same with an amendment as follows:

Strike out all of the matter inserted by said House amendment and insert in lieu thereof the following:

"That the rooms and space recently occupied by the Library of Congress in the Capitol building shall be divided into three stories, the third story of which shall be fitted up and used for a reference library for the Senate and House of Representatives, and that portion of the other two stories north of a line drawn east and west through the center of the Rotunda shall be used for such purpose as may be designated by the Senate of the United States, and that portion of the first and second stories south of said line shall be used for such purpose as may be designated by the House of Representatives."

"And such sum as is necessary to make the construction herein provided for is hereby appropriated out of any money in the Treasury not otherwise appropriated, the sum to be expended under the direction of the Architect of the Capitol."

And the House agree to the same.

JOHN DALZELL,

C. H. GROSVENOR,

JAMES D. RICHARDSON,

Managers on the part of the House.

NELSON W. ALDRICH,

S. B. ELKINS,

F. M. COCKRELL,

Managers on the part of the Senate.

The statement of the House conferees was read, as follows:

The effect of the agreement of the conferees will be—

(1) That the third story of the room recently occupied by the Library will be fitted up and used as a reference library for both Houses of Congress.

(2) That the first and second stories will be fitted up as committee rooms; all the rooms north of a line drawn east and west through the center of the Rotunda to be for the use of the Senate, and those south of said line for the use of the House.

JOHN DALZELL,
C. H. GROSVENOR,
JAMES D. RICHARDSON,
Managers on part of the House.

Mr. DALZELL. I move the adoption of the report.

Mr. SHAFROTH. I wish to make an inquiry of the gentleman from Pennsylvania. I would like to know whether this report gives the Supreme Court library any part of the space.

Mr. DALZELL. I will say to the gentleman from Colorado that the resolution passed by the Senate in the first instance devoted this entire space to committee rooms. The amendment of the House introduced the element of a library. The Librarian of the Congressional Library advised us that the third story will furnish ample room for a reference library for the use of the Houses of Congress and also, perhaps, some additional space.

The report embodies in part the idea of the Senate resolution and in part the idea of the House amendment.

Mr. SHAFROTH. I would like to move to nonconcur in this report and be heard upon the motion.

Mr. DALZELL. I will yield to the gentleman five minutes, if he so desires.

Mr. SHAFROTH. Very well.

Mr. Speaker, the resolution, as I understand it, provides for the disposition of the space which was occupied by the old Congressional Library so as to give additional committee rooms for the House and Senate and also additional space for the reference library of the House and Senate.

I am opposed to the disposition of the space proposed by this pending proposition. We have a Supreme Court in this Capitol building, which I must say has been treated most shamefully by the legislative bodies of this Government. It is a coordinate branch of this great Republic, yet I venture the assertion that there is not a State in the Union that gives to the supreme court of the State as little accommodation, or as little space, as is given by Congress to this greatest judicial tribunal on the face of the earth.

I want to say that any person who will go and look at the library space of the Supreme Court law library will find a condition of affairs that should not continue. You will find shelves of books so closely packed together that it is almost impossible for a person to get between them.

The books are in such a state that it is impossible to get at them. They have been piled up in places where they can not be reached at all. They have some 80,000 volumes in the law library and have not room for half of that number. The space given by Congress to the Supreme Court is ridiculous when you consider the character of the court and the immense amount of business that it transacts.

They have not a room for chambers work, but must go at the clerk's room and hold a conference with anyone when necessary. Every State in the Union provides for the judges of its supreme court, not only general conference rooms, but also private chambers for each judge, and often an anteroom to the same. Not a single justice of the United States Supreme Court is allowed a room, not even the Chief Justice. The space allowed the Supreme Court is a court room, a robing room, a conference room in the basement, the marshal's office—one room, the clerk's office, consisting of three rooms and file room in the basement, and the law library room in the basement.

They have the library divided among the library room and three of the rooms mentioned, none of which are consecutive or adjoin each other, and in which 25,000 volumes are stored. It is absolutely necessary that space be had somewhere. The space that was occupied by the Congressional Library is fitted for a library; it has the modern fireproof shelving and all the conveniences of a library.

It takes no additional cost to let the Supreme Court library go there. The greatest reference library that we can have would be the supreme court reports of the various States and of the United States, and the law text-books. Consequently at this very place it will be most convenient for the use of the Members and Senators.

I have been through the library space that is now occupied by the law library. It is down in a dingy part of the Capitol, in the basement. The light is not good. Any person who has been there and attempted to read knows that it is a crowded space at the best.

Inasmuch as this House passed the resolution which provided that part at least of the old Congressional Library should be devoted to the use of the Supreme Court library, we ought to adhere to it, and give to the Supreme Court library ample space for its books. It is going to cost about \$140,000, as I understand, to divide this space into committee rooms and will cost nothing to use it as a library. Mr. Speaker, you are bound to provide

some room for this law library. There is no sufficient room for it now, and you must in some way provide more space.

If you want a hearing before a judge of the Supreme Court, you must go to the clerk's room and have it there in the presence of the clerk. Are we going to be so selfish as to take all this space because we have the power?

I submit, Mr. Speaker, that there is no State in the Union which treats its Supreme Court as we treat the Supreme Court of the United States. It is a coordinate branch of the Government and ought to be given ample and full space for this library. [Applause.]

Mr. DALZELL. Mr. Speaker, there is a very universal desire upon the part of the members of the House that we should have a reference library. On the other hand, there is a universal sentiment on the part of the Senate that this entire space should be devoted to committee rooms.

Now, the Librarian of Congress has said that the setting apart of this third story would give us ample space for a reference library such as the two Houses are entitled to have, and would also give us space for additional books. Therefore, if we attempted to carry out the sentiment of the House at all, we were compelled to make this compromise, and by this agreement we arrive at that which satisfies both Houses. We get our reference library, they get their committee rooms, and we get our share of the committee rooms.

I concede to the gentleman that the Supreme Court library is poorly housed, but it is in the same Capitol with us. It is accessible to members of Congress at all times, whereas, as we are situated now, it is almost impossible to get a book from the Congressional Library at the time that the member of Congress wants it; and members know that often when they send to the Library for a particular book it turns out that it is not the one they want, or that book suggests some other book that they would like to have.

Now, this proposition involves the placing of a librarian in the Capitol—probably Mr. Spofford, or somebody equally competent—and a thorough reference library for the use of both Houses. That is the utmost that your conferees were able to get as a concession from the Senate. If we agree to this conference report, the Architect of the Capitol will go to work, and by the time we come back again to the next session of Congress we will have our additional committee rooms and also our reference library.

Mr. SHAFROTH. How much will that cost?

Mr. DALZELL. The fixing up of the library will cost, the Architect says, in the neighborhood of six or seven thousand dollars. For the making of the committee rooms he was unable to give us an estimate as to how much that would cost, but less than a hundred thousand dollars.

Mr. SHAFROTH. At the time this proposition was first reported was it not estimated at \$140,000?

Mr. DALZELL. One hundred and twenty-five thousand dollars to turn this entire space into committee rooms.

Mr. GAINES. How much will the books cost?

Mr. DALZELL. The books are all there now.

Mr. SHAFROTH. I will ask the gentleman if this space in the Capitol which was occupied by the old Congressional Library would not be sufficient to accommodate the entire Supreme Court library and have a reference library also?

Mr. DALZELL. I do not know. That is possibly so; and if it is so, it can go in there.

Mr. SHAFROTH. I do not mean the space on the third floor, but the space that exists now.

Mr. DALZELL. I yield five minutes to the gentleman from Tennessee.

Mr. BAILEY of Texas. I desire to ask the gentleman from Pennsylvania if the Senate insists that it needs further committee rooms?

Mr. DALZELL. They certainly do.

Mr. BAILEY of Texas. I might be willing to vote for that at this particular time, but with the Maltby Building, and quite as many committee rooms at that end of the Capitol as we have on this, it looks to me they ought to be satisfied.

Mr. DALZELL. I think so, too, so far as that goes. I yield five minutes to the gentleman from Tennessee.

Mr. NEWLANDS. I desire to ask the gentleman from Pennsylvania if this space is to be divided equally between the House and the Senate?

Mr. DALZELL. It is to be equally divided between the House and the Senate.

Mr. NEWLANDS. How many committee rooms will it make?

Mr. DALZELL. My recollection is that it is fourteen or sixteen each.

Mr. NEWLANDS. I wish to ask whether inquiry was made as to whether a certain portion of this space can not be given to the Supreme Court library, as space is required by the Supreme Court library?

Mr. DALZELL. The librarian was not able to say just how

much of that space he would occupy by his reference library. Of course if there is anything left it can be used for the law library. I yield five minutes to the gentleman from Tennessee.

Mr. RICHARDSON. Mr. Speaker, the conferees have done the best they could in this matter to get a proper division of this space. It has been several months since the conferees were appointed, and they have given the matter a great deal of thought. The result of the conference is that this space where the old Congressional Library books were kept, where there were about seven or eight hundred thousand volumes, is divided into three stories.

The entire third story will be devoted, under this conference report, to the reference library. Now, it is not believed, Mr. Speaker, that that will occupy but a comparatively small portion of this story, and the remainder of the third story can be used by the Supreme Court for the purposes of a law library, and there will be space, in all probability, for it.

Now, then, the remaining two stories will be divided equally between the House and the Senate for committee rooms. There was one matter that I insisted upon above all others, and that was that in the division of this space the House should be given one large room for the minority.

Now, it is very well known that gentlemen on the other side will need that space next Congress [laughter], and we are taking care of them as well as we can; but whether they need it or we need it, there ought to be one suitable room for the minority. The Senate has a room of that kind, and the House has never had any place where the minority could assemble, except in the corridors of this Capitol.

A MEMBER. What is it to be used for—for condolence?

Mr. RICHARDSON. For the transaction of all the business that the conferees have to transact—a conference room; and unless the conference report is adopted that accommodation will not be afforded the minority. I believe, Mr. Speaker, it is the very best that can be done, and if this conference report is not adopted it will go over for one more session, possibly more than a year, and I hope very much that the House will adopt the report of the conferees.

Mr. DALZELL. I yield five minutes to the gentleman from New Jersey.

Mr. PARKER of New Jersey. Mr. Speaker, this is a very important matter. Ever since the Library has been moved across the way it has been practically useless to those who wished to deal with it. The other library that we have, the House library, is useless to-day, because it is upstairs.

Nothing in the shape of a library that is upstairs is any use. Every gentleman's experience confirms this. Now, when the old library was in the middle of the Capitol building, it formed not only a library that we could go to and use, but a place where the members of the Senate and House came together informally and met one another. Its one fault for our use was that it was open also to the public.

It is important that there should be a central room where members of the Senate and House can go, and no one else, for a reference library, and so that they could meet there daily and know what is going on in the two Houses. Such a room brings them together. That was the great use of that library. Why divide or change the room? It is far more important than committee rooms.

Members of this House know that there are many committee rooms here which are committee rooms only in name, where there are no meetings, and where the room is simply used as a private office of the chairman of the committee. What we really need is a reference library for Senate and House which is accessible, and to be accessible it must be upon the ground floor.

We are told that this matter is to be put off if not disposed of now. We had better put it off than to take the one room in this whole Capitol which is useful for the purpose that is mentioned and dividing it up into small rooms. This Capitol is full of small rooms given up to dust and darkness and the storage of books and gas engines and we know not what. They are found in the basement and in the second story.

There is one room absolutely accessible, absolutely useful, absolutely fitted for the purpose of a reference library; and I deplore the day that we shall take the old Library of Congress, with all of its associations, and divide it up into a number of small rooms, and take in place of it the third story, reached only by an elevator, and therefore not accessible to the members of the House as quickly as it ought to be.

I forgot to say that the Librarian told me that all the space they had was not more than sufficient for such a library as he meant to furnish us. I deplore that we should give up this great adjunct of legislation by any hurried action at the end of a session. I think the conference report should be postponed to next session.

Mr. DALZELL. Mr. Speaker, I ask for the previous question and adoption of the conference report.

Mr. SHAFROTH. I wish the gentleman would permit me to make a statement. This was called up unexpectedly.

Mr. DALZELL. I can not yield at this time. The previous question was ordered.

The question was taken on agreeing to the conference report; and on a division (demanded by Mr. PARKER of New Jersey) there were—ayes 115, noes 35.

Mr. SHAFROTH. I ask for the yeas and nays.

The SPEAKER. The yeas and nays are asked for by the gentleman from Colorado. As many as are in favor of taking the question by yeas and nays will rise and remain standing. [After counting.] Eight gentleman rising, not a sufficient number, and the yeas and nays are refused. The ayes have it, and the conference report is agreed to.

Mr. CANNON. Mr. Speaker, I ask unanimous consent to consider the bill (S. 4952) making appropriation for payment of the salaries of certain officers in the district of Alaska for the fiscal year ending June 30, 1901, and for other purposes.

The Clerk read the bill, as follows:

Be it enacted, etc., That the following sums be, and the same are hereby appropriated, out of any money in the Treasury not otherwise appropriated, in full compensation for the service of the fiscal year ending June 30, 1901, for the objects hereinafter expressed, namely:

District of Alaska: For governor, \$5,000; 3 judges, \$5,000 each; 3 attorneys, \$3,000 each; 3 marshals, \$4,000 each; 3 clerks, \$3,500 each; surveyor-general and ex officio secretary of the district, \$4,000; in all, \$65,500. Appropriations heretofore made for the payment of salaries of the above-named officials during the next fiscal year to be covered into the Treasury.

The SPEAKER. Is there objection?

Mr. LENTZ. I object unless we can have the *Cœur d'Alene* testimony printed.

Mr. DALZELL. Mr. Speaker, I submit a privileged report.

The SPEAKER. Will the gentleman from Pennsylvania give way to the gentleman from Ohio, who wishes to present a conference report?

Mr. DALZELL. I will.

SPECIAL RIVER AND HARBOR BILL.

Mr. BURTON. Mr. Speaker, I move that the House further insist on its disagreement to Senate amendments to House bill 11646 and agree to the request of the Senate for a conference.

The SPEAKER. The Clerk will report the title of the bill.

The Clerk read as follows:

H. R. 11646, making appropriations for emergencies in river and harbor work and certain surveys for the diversion of certain appropriations and modification of appropriations heretofore made.

The SPEAKER. The question is on the motion to further insist on the disagreement to the amendments of the Senate and agree to the conference asked for by the Senate.

The question was taken; and the motion was agreed to.

The SPEAKER appointed as conferees on the part of the House Mr. BURTON, Mr. REEVES, and Mr. CATCHINGS.

OLEOMARGARINE BILL.

Mr. DALZELL. Mr. Speaker, I present the following report from the Committee on Rules.

The Clerk read as follows:

The Committee on Rules, to which was referred House resolution 285, report that they have had the same under consideration, and report the following as a substitute therefor: On December 6, immediately after the reading of the Journal, it shall be in order to consider in the House as in Committee of the Whole House bill 3717, making oleomargarine and other imitation dairy products subject to the laws of the State or Territory into which they are transferred, and to change the tax on oleomargarine.

Mr. DALZELL. Mr. Speaker, the bill referred to—

Mr. BAILEY of Texas. I desire to ask the gentleman from Pennsylvania if he intends to debate this before the previous question is ordered?

Mr. DALZELL. I was about to say a word.

Mr. BAILEY of Texas. That would preclude any debate.

Mr. DALZELL. I have agreed to yield to one or two gentlemen on this side, and I will yield to gentlemen on that side.

Mr. PAYNE. Can not you get along with twenty minutes on a side?

Mr. DALZELL. I will demand the previous question, Mr. Speaker.

The previous question was ordered.

Mr. DALZELL. Now, Mr. Speaker, just one word. This is a bill in which a great deal of interest has been manifested in the House and one that ought to have some time for consideration. As members know, the resolution of the House fixing June 6, at 3 o'clock, for adjournment is pending in the Senate, with every probability that it will be agreed to by that body. In the meantime there are innumerable matters of very great importance that will have to be disposed of during the night and during the morning.

Under these circumstances it has seemed wise that some definite time should be fixed so that the friends of this measure may be assured that it will have consideration. That is the reason for bringing in this rule. I do not care to occupy the floor further. I yield five minutes to the gentleman from Vermont [Mr. GROUT].

Mr. GROUT. Mr. Speaker, this resolution is an amendment of the one introduced by myself on the day that the oleomargarine

bill was reported by the committee to the House. As will be remembered, the bill came into the House late from the committee. The House has been very busy all the time since, with privileged matters. It was reported a week ago to-day; and although the friends of the bill have put forth their best efforts to secure, if possible, the consideration of the bill during the present session of Congress, it does not seem possible to accomplish that result, the time of adjournment being less than fifteen hours away.

This resolution fixes the 6th of December next for its consideration. The bill is to be considered in the House as in Committee of the Whole, thus giving the House complete control over the measure. It makes certain its passage at the very opening of the next session, and it really matters little whether the bill lays in this House or the other during recess. And while I would like to have had the bill through the House this session, I am thankful we have it where its passage is no longer in doubt, and I hope all friends of the measure will vote for this rule.

The bill, as gentlemen all understand, is one looking to the correction of a great fraud, a monstrous fraud, in the sale of a food product—the greatest fraud in the sale of any single product that the world ever saw. Eighty-three million pounds of oleomargarine were manufactured last year. That would amount to about twenty million dollars as sold to the people of this country; and from twelve to thirteen million dollars of that amount was profit between the cost to the manufacturer and the consumer. These enormous profits are made possible by existing law, passed in 1886. That law allows it to be colored like butter, and the result is it is sold as butter. Armour & Co. are on record as saying that the cost of it, including the 2-cent tax, is not exceeding 7 cents per pound. It is sold to the consumer as butter, all the way from 20 to 30 cents per pound, a profit of over 200 per cent to be divided between the manufacturers and those who palm it off as butter—a total of twelve or thirteen millions. The profits are so large that the temptation is simply irresistible to sell this product for butter, notwithstanding State laws, and notwithstanding United States laws, such as they are, which look feebly to the prevention of this fraud.

The Lord's prayer says, "Lead us not into temptation." But who fails to see that this 200 per cent is a terrible temptation? And the law as it now stands is responsible for it. What is the cure? Take away the temptation. Put a tax of 10 cents per pound on all of this stuff that is colored, and it will take away \$8,000,000 annually of the temptation.

As it is now this twelve millions profit creates a vast corruption fund, by means of which prosecuting officers, food inspectors, and others charged with the execution of the laws are turned aside from their duty, and it is found impossible to enforce the laws against selling it for butter which exist in almost all the States. As against this corruption fund the laws are powerless. Four hundred indictments are pending in the city of Philadelphia alone. Forty-eight indictments for violations of the oleomargarine laws in this city have been pending nearly or quite four years, and this is the condition in every large city throughout the country.

This fraud has become so barefaced and brazen that it is a practice with oleo manufacturers to sell their goods to the retailers, who really perpetrate the fraud on the public, with a "guarantee to the extent of paying all fines, costs, etc." (to use the exact language of one of the circulars), incurred in selling the stuff.

The profit is so great that every device within the range of human ingenuity is resorted to in working it off as butter.

Wrappers and stamps are removed without compunction, and in some places the trade is put on wheels, it being no easy matter to follow and identify a wagon in a great city, as is shown by the following clipping from the New York Produce Review, sent me by F. J. H. Crocke, assistant commissioner of agriculture for New York, a State which leads all others in the execution of anti-oleomargarine laws, but it takes a large appropriation annually to do it:

BREAKING UP WAGON TRADE—VENDERS OF OLEO CAUGHT AFTER WEEKS OF HARD WORK AND FINED HEAVILY.

The agricultural department of this division has been doing some very fine detective work recently, and has been rewarded by securing some of the heaviest fines on record, besides seeing one culprit serving out a sentence of one hundred days in jail.

Assistant Commissioner Kracke has been aware for a long time that oleomargarine was being delivered by wagons to private families, restaurants, hotels, etc., but the methods employed by the agents to cover up their business made it almost impossible to secure their arrest. This trade is mostly in prints, packed in paper boxes containing 2, 3, or 5 pounds. The oleo is brought over from Jersey City, either in express or other light delivery wagons, and the goods are taken direct to customers, whose name and address are usually designated by some registered number.

A case now before the courts is that of Walter Brown and a man named Cornwall, one the salesman and the other driver of a so-called express wagon, but the name of Fenn's Express stamped on the side of the wagon could hardly be detected, except by the aid of a magnifying glass. When the samples of the oleo were first taken by the inspectors of the Department warrants were issued for the arrest of both parties, but on the next and several succeeding trips the driver and salesman were changed, and it was not until one day last week that the arrests could be made. On the charge of the Agricultural Department they are each held in \$300 bail for trial. Now comes in the internal-revenue officers and seize the horse, wagon, and 300 pounds of oleo, all of which will be sold or destroyed by the Government. The officers

claim that the loss to the vendors will be at least \$1,000 in addition to the fines that will be secured by the State.

The oleomargarine thus smuggled into New York probably comes from Newark, N. J., for there is an oleomargarine factory there.

Mr. Speaker, as still further showing the ghastly methods of this unclean business, which even betakes itself to coffins for a hiding place, thus grimly foreshadowing the fate that awaits the fraud on which it thrives, read the extract from the New York Sun of the 4th instant, given below, and which was sent me by Wilkinson, Gaddis & Co., of Newark, N. J., with the following letter. These men are entire strangers to me, but their letter hits the nail exactly on the head. It is a clear statement of unanswerable reasons in favor of the bill to be voted on on the 6th of next December. Here it is:

WILKINSON, GADDIS & CO., MERCHANTS,
Newark, N. J., June 4, 1903.

Hon. Mr. GROUT.

House of Representatives, Washington, D. C.

DEAR SIR: We inclose you a clipping from the New York Sun of this date. This is another instance showing to what extremes retailers of oleomargarine will go to sell the goods. The whole business of marketing it is deceit and deception from start to finish. If oleo was sold for just what it is, no dealer in butter nor farmer, we think, would object to it; but it is because when it is colored to imitate butter it is done so that it may be sold as a substitute. We know of instances where some of the leading hotels last summer used it on their table. We know of instances where different parties in our city have found that they were using oleomargarine when they bought and paid for regular butter. We can bring proof of this when it is necessary.

We hope that the tax on oleo that is colored to imitate butter will be made 10 cents per pound. The only object for coloring it to imitate butter is to sell it as butter substitute. The taste is just the same whether it is colored or not, and we are willing to have it sold on its merits. This, however, will only be done if it is left uncolored.

Yours, truly,

WILKINSON, GADDIS & CO.,
F. A. WILKINSON, Secretary.

It seems this Providence company borrowed the name Vermont to give their product currency, knowing that in that State the very best brands of butter are made and a larger product per capita than by any other people on the face of the globe.

But what a fraud this bogus-butter business is. And if it is already looking into its coffin, what a dismal time it will have when this bill becomes a law and 10 cents per pound profit is taken away. Here is the clipping from New York Sun:

OLEOMARGARINE IN COFFINS—DAIRY COMMISSIONERS OF CONNECTICUT MAKE A RAID AND GET UNUSUAL RESULTS.

NEW HAVEN, June 3, 1899.

State Dairy Commissioner Noble and Deputy Dairy Commissioner Eaton yesterday made the most peculiar discovery in the history of the dairy commission in Connecticut. Stowed away in caskets, coffins, and casket cases in an undertaker's cellar in Waterbury they found 3,600 pounds of oleomargarine.

The dairy commissioners had known for a year that "oleo" was being sold in Waterbury. They had searched certain grocery stores again and again and had never been able to find a pound of the substitute butter. Yesterday the dairy commissioners went to the "Boston Butter Store," on Main street in Waterbury, and searched the cellar. The commissioners had received information that George Farley, the proprietor of the store, was selling "oleo" regularly.

The commissioners failed to find a pound on the premises. They hunted through the cellar for blind doors and hidden vaults, but found none. They searched the collars on either side of Farley's store and found none. Still the commissioners were certain that there was "oleo" somewhere near which Farley was selling every day. They decided to search every cellar in the block. Three doors up the street they came to the undertaking establishment of M. Bergen & Sons.

"Guess we had better pass this place," said Commissioner Noble.

"Not much," said Eaton, "we may find oleo."

Mr. Bergen declared it was an outrage, but Mr. Eaton wanted to look at a coffin. He said:

"I like that one," said Eaton to his assistant, as he pointed out a casket case. The assistant tried to lift it.

"Must be a mummy in this," said the assistant.

"Get more men," said Eaton; and in a couple of minutes the casket case was hauled into the light and the lid lifted.

"Do you use oleo for embalming?" said Commissioner Eaton to the senior Bergen. "I have heard of embalmed beef, but embalmed butter is a new one on me."

More caskets and cases were hauled down. In a hollow square of casket cases 60 tubs, and each containing 60 pounds of "oleo" were found. Mr. Bergen's son and Mr. Farley, the keeper of the grocery store, were both sent for. Neither could be found. The elder Bergen declared that he did not know how the oleo came to be in his caskets. "Well," said Commissioner Noble, "you can explain that to the court." Both Farley and the Bergens will be prosecuted for keeping and selling "oleo." It came from the Vermont Manufacturing Company, of Providence. It was shipped to "V., Waterbury, Conn."

The dairy commissioners recently discovered a tub of "oleo" at the Waterbury freight house. They hired a detective to watch it. The detective watched it for ten days, but no one came to claim it. It was also marked "V., Waterbury, Conn.," and at the end of ten days it was shipped back to the Vermont company. The dairy commissioners say that this is the best find they have ever made in their searches for "oleo."

Mr. Speaker, this 10-cent tax deals with this question fundamentally. It will remove the temptation to sell it as butter by reducing the profits to such an extent that dealers will not take the risk of violating the local laws in so selling it. It lays the ax at the very root of the fraud.

To illustrate: The present average profit of about 15 cents per pound on oleomargarine sold as butter, divided between the manufacturer and retailer, leads them to take the risk of prosecutions and the expense incident thereto; when an average of 5 cents profit, the amount left after paying the proposed tax, would not tempt

them. Just as one might be tempted to pass counterfeit dollars if he could get them for 10 cents each, but would not think of taking the risk if they cost him 90 cents each.

Besides, Mr. Speaker, this bill, if passed, will enable whoever really wants oleomargarine to buy it as such and have it colored and not pay a penny more than he pays now.

A MEMBER. He will pay less.

Mr. GROUT. The gentleman says less; I am sure not more. Now, he buys it as butter; very little is sold as oleomargarine. He pays the price of butter, from 20 to 25 cents per pound. The cost of oleomargarine with the 10 cents tax will be 15 cents, and there is still left 5 cents profit or more, and the cost to the consumer will be no greater than now. But the truth is, no one prefers it to butter at the same price. Nobody buys it in preference to butter. But while it is true that one can have oleomargarine colored at no increased cost, it is also true that he can have it under this bill when not colored in imitation of butter at only a little over one-third of what it costs him now, and it will be just as nutritious. The bill provides that the present tax of 2 cents a pound shall be reduced to one-fourth of 1 cent per pound on the uncolored stuff, thus making it cheaper to the poor than now. So that when gentlemen say that this bill will suppress the manufacture of oleomargarine it is not true. All it aims at is the suppression of the fraud in selling it as butter. Still, gentlemen may be right, for if the fraud be suppressed the whole business would be pretty effectually suppressed.

The reduced tax on the uncolored article, thereby providing a cheap grease for the bread of such as want it, with the 10 cent tax on it if colored to imitate butter, thus preventing such profits as will tempt its sale for butter, are the features of the second section, and who can say they are not conservative and just? Who can say that they impose unreasonable limitations on the manufacture and sale of oleomargarine?

It should be remembered that there are thirty-two States in which the sale of oleomargarine colored like butter is prohibited by law. This section only proposes what is in harmony with the laws of those thirty-two States, which embrace four-fifths of our population, viz., 50,117,440. Then why this great outcry against this 10 cent tax, which, as we have seen, will surely aid in the enforcement of State anticolor laws by removing the temptation to violate them?

The first section is in accordance with the decision of the United States Supreme Court in the Plumly case. This decision, however, was by a divided court, and if this section is placed on the statute books, then the dairy interests will have a double bulwark against the encroachments of this monster fraud, to remove which Congress would have to repeal the law and the Supreme Court would have to reverse itself; and this precaution is necessary against a fraud which has shown itself so aggressive and so successful.

These, in brief, are the provisions of the bill. And who can say they are fashioned to destroy the oleomargarine industry, unless, indeed, destroying the fraud on which it thrives will destroy the industry itself; and if so, everyone will say—let it be destroyed.

The minority views proceed on the ground that the bill is intended to destroy it. I deny it. I drew the bill myself, with no assistance or suggestion from any one, and I certainly had no such intention in its preparation. The only thought was to circumvent the fraud practiced in its sale.

The minority views attribute to some who favor the bill a desire to destroy the oleo industry, and both Governor Hoard and Food Commissioner Adams are charged therein with so declaring before the committee.

Governor Hoard used this language:

The hoped-for effect of the legislation asked of Congress is not to destroy the oleomargarine industry, but to force it over onto its own ground; to compel it to be made in its own guise and color. Is there anything unjust or unreasonable about this?

And this evening I received from Charles Y. Knight, secretary of the Dairy Union, the following dispatch, which shows that Mr. Adams is grossly misrepresented by the minority and that Mr. Knight is worse than misrepresented:

CHICAGO, ILL., June 4, 1900.

Hon. W. W. GROUT,

House of Representatives, Washington, D. C.:

Letter on page 6, committee report, accredited to me, evidently forgery. I did not write nor authorize any such letter, and a rigid search of our office here fails to reveal its origin. Please look matter up, as I desire to run this matter to earth. Also on page 5 Mr. Adams is grossly misquoted. He referred only to colored oleomargarine, and so stated.

CHAS. Y. KNIGHT.

I will also here give a dispatch from the Elgin Dairy Board of Trade repudiating the claim made by the oleomargarine folks that the organization favors the Wadsworth substitute:

ELGIN, ILL., June 4, 1900.

Hon. W. W. GROUT,

House of Representatives, Washington, D. C.:

The following resolutions were unanimously passed by the Elgin Dairy Board of Trade to-day:

"Whereas it is reported that certain parties in Elgin have telegraphed to Washington that the Elgin Dairy Board of Trade and the dairymen of this

section will be satisfied with the Wadsworth bill as a substitute for the Grout bill; Now, therefore,

"Resolved, That this board repudiates the action of any party or parties in Elgin or elsewhere purporting to represent the sentiment of this board and the dairymen of this section, and we desire to place ourselves on record as unalterably opposed to the Wadsworth or any other substitute for the Grout bill.

L. S. TAYLOR,
Secretary Elgin Dairy Board of Trade.

The minority views contain an elaborate argument in favor of the wholesomeness of oleomargarine. No one will deny that the stomach of the working man will in most instances handle oleomargarine; but it is equally true that it is not assimilated by the delicate and is a burden with most people of sedentary habits. The very fact that it contains stearin or paraffin to make the oils used in its manufacture, especially cotton-seed oil, stand up like butter shows conclusively its indigestibility.

Stearin is the hard, indigestible tallow of which candles are made, and paraffin is a substance absolutely indigestible, one of its uses being to protect the bronze and marble of statues from the weather.

Prof. Joseph G. Geisler found in several specimens of oleomargarine, in New York and Brooklyn in July, 1899, about 10 per cent of paraffin; that is to say, 6 pounds of it in a 60-pound tub, and so reported to the State department of agriculture, of which he was the chemist.

Notwithstanding the many chemists' certificates given in the minority views, no one will believe that it is as digestible or as suitable for the average stomach as butter. Governor Hoard, president National Dairy Union, said before the committee on this point as follows:

Is oleomargarine a healthful food? There is no way to determine this question except by actual trial; not for a day, a week, or a month, but for several successive months, and not with strong, robust men, with plenty of outdoor exercise.

Chemistry can not answer. For example, the chemist will tell you that he finds the same elements in swamp peat that are found in the grasses and hay that are fed to our cows, and in approximately the same proportion. And the chemist is utterly at a loss to determine from the standpoint of his science why cattle should not feed on swamp peat. Chemistry can not determine whether any particular substance is poisonous or not. It must take a stomach to do that.

There is no credible evidence to show that oleomargarine is innocuous; no evidence to show that when eaten continuously in place of butter it is not harmful. But there are reports in great abundance to the effect that oleomargarine is harmful.

Mr. Edmund Hill, a member of the Somerset County council, England, reports that the great bulk of oleomargarine, or "margarin," as it is called there, is eaten in public institutions, convents, schools, etc. At the Wells asylum, with which he is connected, the inmates receive oleomargarine. In the asylums of Dorset, Wells, and Hants—the adjoining counties—butter is furnished, and the death rate at Wells is 30 per cent higher. At the Taunton Hospital there were eleven deaths in thirteen months. Oleomargarine was substituted, and in nine months the deaths rose to twenty-two.

This accords with the experience in France, where its use in hospitals is forbidden. In the United States, in institutions for the blind and for girls, it has been noticed that the use of oleomargarine lowered the vitality of the inmates very perceptibly.

There is abundant reason for this. The normal heat of the human stomach is 98 degrees. Butter melts at 92 degrees, 6 degrees below the heat of the stomach, and passes into pancreatic emulsion and digestion. Nature designed this fat in its raw state for food.

Oleomargarine melts at the varying temperature of 102 to 108 degrees, a temperature no healthful stomach ever attains. As a consequence, this unnatural foreign fat must be expelled by sheer gastric action and force.

Butter fat is found in the milk of all mammals. It is chemically and physically unlike any other fat in existence. It was designed by nature for the food and sustenance of infant offspring, having the most delicate of all digestion. Because of this most evident purpose and provision of nature, butter forms a healthful and important article of food in milk, cream, and in its separated state.

No matter what paid chemists may say, no counterfeit, even in its purest state, is wholesome or healthful.

But there is another phase of this question. There is absolutely no protection for the public against most dangerous introduction of positively unhealthy compounds into oleomargarine.

The Journal of the American Chemical Society and the Department of Agriculture of New York abound in proof of the adulteration of oleomargarine with paraffin, a substance which the strongest acids even are unable to affect. There is no reason on earth why the foulest of germ-laden fats should not be used in the making of this compound, when once they are deodorized by the aid of chemistry.

Mr. Speaker, who will say, in the light of these facts as to its real quality as an article of food, that the consumer has not a right to be protected from eating this stuff called oleomargarine, unless he does so knowing what it is? Who will say, also, that the farmers of the country are not entitled to protection against the fraudulent competition of hog and steer and bull butter with the product of the dairy and the creamery?

But, Mr. Speaker, my time is expiring and I must leave unsaid many things I would like to say.

I will, however, with the permission of the House, here give as part of my remarks extracts from a speech which I delivered in the House in 1886, at the time the oleomargarine law now on the statute book was enacted. What was true of this fraud then is true of it now.

OLEOMARGARINE.

[Extracts from remarks of William W. Grout, of Vermont, in the House of Representatives, Tuesday, May 25, 1886.]

Mr. GROUT. An ancient writer of high repute said: "God hath made man upright; but they have sought out many inventions."

Oleomargarine is one of them. It must have been the very one that crowded in ahead of all others upon Solomon's sorrowing vision as he bewailed the departure of man from the "upright." In all the crookedness of man, in both ancient and modern times, the manufacture and sale of oleomargarine must stand first among his false and deceptive works. It is in the first place a counterfeit. It is studiously made to resemble in all respects butter. And the resemblance is so close that only the microscope or a chemical analysis will detect the difference; and some assert that neither the microscope nor chemistry can tell the one from the other.

But this last is one of the falsehoods of this false business, to which is always added, "If science can not tell the difference, then what is the difference? Why is it not as good as butter?" But I repeat, this should be branded as a falsehood. Certainly Professor Taylor's microscope reveals even to the unpracticed eye an unmistakable difference, much like the difference between the green leaf of spring and the dead leaf of autumn. To this many gentlemen upon this floor can testify. But it is a counterfeit, a confessed counterfeit, better calculated to deceive than the most skillful counterfeit of the current coin or paper money of the United States. Like the pirate, who displays a friendly flag, it sails under false colors; and like the pirate and the counterfeiter it takes from others without giving an equivalent in return. It is manufactured for 8 or 9 cents per pound and sold to the consumer for 20 or 30 cents per pound; not for what it is, but for pure butter; just as the counterfeit dollar is passed not for what it is, but for what it appears to be. But it is said that the manufacturer sells to the dealer for just what it is. In most instances very likely. So does the maker of counterfeit money supply the one who puts it into circulation for just what it is; but never at a fair profit only on what it cost him to make it. He would want at least about one-half the whole fruit of the fraud; just as he who steals a horse would be willing to pass it to the receiver at perhaps half its value, who in turn would have a margin left for his share. So it is with this oleomargarine trade. Between the first cost and the price paid by the consumer enormous profits cluster along the way. If these profits were legitimate no fault could be found; but they are won by fraud. They are made by selling oleomargarine for butter. Not one pound in a million of this counterfeit stuff is bought and eaten by the consumer for what it is. Like the counterfeiter's victim, who "took it for a dollar," one always buys butter, but in blissful ignorance he too often eats oleomargarine. The only way one can be certain is to establish a chemist's laboratory in his kitchen and plant a microscope by his plate.

* * * * *

If oleomargarine be the poor man's blessing, as is claimed, it should be secured to him at the poor man's price. But this will never be till compelled, as proposed by this bill, to go upon the market in no guise but its own and under no name but its own. As oleomargarine it will pay the tax proposed by this bill, and then reach the poor man's table at much less cost than it now does; if, indeed, it be fit to eat, of which a word in a moment. But it now sells for the price of butter, from 20 to 30 cents per pound, and leaves the poor man without the blessing which it falsely promises him. It thus gathers in \$25,000,000 ill-gotten gains annually, the very harvest of fraud itself, and at the same time strikes a staggering blow upon an honest industry in which millions of the working men and women of this country now gain only a hard-earned livelihood. Now this is oleomargarine, an acknowledged counterfeit, but deceitfully passed for the true; intrenched behind the millions it has filched from the people in the name of butter; false to its promises to the poor; the disturber of our industries; the very embodiment of falsehood and fraud. And yet this false-faced monster sits with us familiarly at table in the dress of an old friend, and makes his oily way into the very citadel of man's affections. Then if in the silent watches of the night the stomach becomes suspicious that it may be "entertaining an angel unawares," and yearns for information as to the character of this nocturnal visitor, which the friends of oleomargarine tell us comes as an angel laden with blessings for the race, it is respectfully referred to the Patent Office reports. [Laughter.]

Volume 5 is taken down and opened to page 329, and the poor benighted stomach asks if the angel was made under patent No. 148767, which is as follows: "This substitute for butter" "consists of a base of yolk of eggs, butter, and milk, agitated in a zinc vessel that has been coated with a solution of niter." But hearing no response, it takes down volume 22 and opens to page 1489, and reads in patent No. 266777 this formula for making a "substitute for butter," "consisting of cotton-seed oil or other vegetable oils treated with a solution of caustic soda in combination with farinaceous flour, which had previously been thoroughly cooked in salt water as described; incorporating and agitating the mass, working in the oil, milk, coloring, and flavoring as per process described." But still there is no response. There can be no certainty of the parentage of the child in this patent; and lest the

wondering stomach may find some worse formula for the manufacture of angels, it takes down volume 28 and looks hopefully for the pedigree of its particular guest in patent No. 301782, found on page 173:

"The process consists in first forming a soap emulsion of the fats or fatty oils with caustic soda; then precipitate the lyes; then applying chlorinated alkaline lye, or chlorinated gas, to the soap emulsion, as described."

But this formula is found to be so full of lyes (lies) and sounds so much like a receipt for making soap that the bewildered stomach abandons the inquiry, declaring in tones of astonishment that oleomargarine is, indeed, the mystery of mysteries—a far profounder mystery than hash or sausage. [Laughter.]

Let not this sad tale of a child without a father divert attention from the fact—let it rather fix the mind upon it—that so long as bastard butter is sold for the genuine no purchaser can be sure but that he is eating it, nor can he be sure either of what ingredients it may be composed. It presents the well-known condition of every illegitimate birth, namely, an uncertain paternity; and as a doubtful place in the pedigree may let in bad blood, so uncertainty as to the ingredients of counterfeit butter admits the possibility that they may be unclean and unwholesome. Who can look with entire composure upon this possibility? Who will say that the things we eat ought not like Cæsar's wife to be above suspicion?

It will not be pretended but that a substitute for butter made according to the formula of M. Mégé, the French inventor, is a wholesome food product. But this can not be said of all the American devices in which lard and vegetable oils and tallow take the place of margarine oil and in which various acids and alkalis are used, some of which, as every one knows, are not only unwholesome but absolutely dangerous. The following are a few of the many articles named in the many patents granted for the manufacture of substitute butter: Bisulphate of lime, borax, salicylic acid, benzole acid, orris root, cotton-seed oil, bicarbonate of soda, glycerine, capsylic acid, alum, capsic acid, sulphite of soda, cows' udders, sulphuric acid, pepsin, tallow, lard, salt, corn starch, butyric ether, caustic potash, castor oil, chalk, slippery elm bark, caul, oil of sesame, oil of sunflower seed, olive oil, turnip-seed oil, bronna chloralum, chlorate of potash, oil of sweet almonds, oil of peanuts, peroxide of manganese, stomach of pigs, sheep, or calf, nitrate of soda, mustard-seed oil, nitric acid, dry blood albumen, sugar, butyric acid, bicarbonate of potash, and caustic soda.

One of the great packing establishments in Chicago has of the Elgin creameries the buttermilk in which to baptize, in the name of butter, probably a thousand tons a year of this counterfeit product; and pay for it, if the statement of their agent now in charge of their goods in the Central Market in this city can be relied upon, for he made the statement to me, \$100 per day. Now, this is almost equal to the wag's formula for making a first-class article of chicken soup for boarding-house consumption, namely, drive a hen through a dish of hot water. O tempora! O mores! [Laughter.]

But enough about the character of counterfeit butter. It may be that the cheap grease known in the market as "neutral grease" when subjected to treatment by the alkalis and acids named in the various imitation-butter formulas is not absolutely unwholesome; for chemistry works wonders in the transformation of physical substances. I say this may be; but suppose it is, who wants to eat it? That this "neutral grease" is to a great extent used in the manufacture of these imitation products no reasonable person will doubt. The different formulas themselves prove it by the chemical agents which they contain for the manifest purpose of deodorizing and correcting it. Besides, as everyone knows, it is a counterfeit and a fraud; and who is verdant enough to suppose that the counterfeiter would be at all scrupulous as to the materials he used in his business? The object is to make the counterfeit article at the least possible expense for the sake of the greatest possible profit. And if "neutral grease" can be obtained at one-fourth or one-third the expense of tallow or lard, who for a moment doubts which the counterfeiter would use?

But this stuff, even if not absolutely unwholesome, is not fit for a self-respecting American citizen to eat. It might answer for a digger Indian, who lives on snakes, or for the Mexican peon, who in his poverty consumes with avidity every organic part of the animal, excepting only the horns, hoofs, hair, and bones. It might answer for these, but it does not comport with our American civilization. It is no credit to it. It has no proper place in it, and it could not exist for a moment except through fraud and imposition. The American people can be in better business. With "cattle upon a thousand hills," and many, many thousand hills scattered all over our vast domain, where now grows wild grass or stands "the forest primeval," but where hardy husbandmen might graze and milk their herds of kine, and thrifty housewives might emulate the virtue and valor of Jael, the wife of Heber the Kenite, who "brought forth butter in a lordly dish," does it not seem like small business, like the disreputable business it is,

for an able-bodied American citizen to be trying to find out how chemistry can extract from "cow's udders" the oil that shall give to tallow and lard and the intestinal and offal fats and "neutral grease" and the vegetable oils the taste of butter, thereby enabling the unscrupulous to sell them, after they are washed in buttermilk, for butter, and thus put these cheap and nasty fats in competition with the golden issues of the housewife's churn?

And this brings me to the chief reason for the passage of this bill; namely, the ruinous effect of this dishonest competition upon the great, in fact the greatest, industry of this country—an industry which, while it gives employment to millions of capital and millions of men and women, is yet made up from an aggregation of humble interests which, when treated fairly, only afford very small profits in return for much hard work.

Dairying is the largest single branch of American agriculture. The butter, milk, and cheese produced for the last year, as estimated by reliable experts, amounted to the enormous sum of \$564,950,500. This is more than four times the value of the entire oat crop of the country; more than five times the value of the pig-iron product; more than twice the value of the iron and steel product; about four and one-half times the value of the cotton crop, and about \$150,000,000 more than the entire wheat crop of the country. The amount invested in milch cows is about \$700,000,000—more than the entire capital stock of all the national banks of the country.

Not only is dairying the great leading branch of our agriculture, but it is so related to every other branch of that great industry that when it suffers the whole feels the depressing effect. Especially is this true in our older States, where the soil, well-nigh exhausted by long-continued cropping, is arrested from further deterioration and brought back to a high degree of fertility by dairy farming, and thus worn out lands are restored and more of every kind of agricultural product is produced, more forage for animals and more food for man. It is estimated that in dairying at least four millions of our population are employed, while agriculture in all its branches gives employment to almost one-half of our entire population who therefrom feed and clothe themselves and feed and clothe the other half.

Without agriculture we should go both hungry and cold. We should relapse into barbarism, should go back to the skins of beasts for clothing and hunt again the wild boar for food. A thrifty agriculture makes every other work of civilization possible. Without it the earth, the source of all wealth, would fail to yield her fruits and every other enterprise and industry would languish. We have already seen that the dairy interest is the very soul itself of our agriculture. Now, shall this interest be preserved, or shall it be sacrificed, not to a fair competition—if the competition were fair no fault would be found—but to a downright fraud, to a filthy counterfeit, masquerading in the stolen livery of the very industry it is seeking to overthrow? [Applause.]

Even if the competition were fair it would still present a serious question of public policy; one not only involving public health but the public intelligence and morals also, namely, whether we should kill out the dairy industry and cease to be a butter-eating people and feed upon the coarser and more cloying animal fats, thus taking a step back toward the raw tallow and lard which were the delight of our Saxon ancestors in the forests of Germany. It involves also another question which takes strong hold upon the labor problem, which has long vexed the governments of Europe, and now threatens the peace and prosperity of this Republic. It is this: Whether a few capitalists giving employment to a few thousand men shall be allowed to overwhelm with a fraudulent business an honest industry which gives employment to millions, and which is the very cream of that grand pursuit which, through the common mother of the race, provides for us all.

You have just passed a labor-arbitration bill and sent out a special committee to collect data for the adjustment of the delicate relations between capital and labor. But right here, in the disposition of this bill, is an opportunity to deal with the labor question from the very foundation, and in a way to dispense with arbitration bills and special committees, or make them a standing necessity. It has been said that "an ounce of prevention is better than a pound of cure." Enactments preventive of threatening evils are always wiser than the wisest provisions for the correction of those evils after they are developed. It is always the highest achievement of legislation to formulate laws which in their practical operation shall reconcile antagonisms and bring all interests into harmony. This can only be done by giving all men and all honest enterprises a fair chance.

Now, pass this bill and you take an important step in both remedial and preventative legislation. You at once relieve the dairy industry of the killing fraud which now completely paralyzes it. And as one of the immediate results the milch cows, which as shown by the last report of the Commissioner of Agriculture were depreciated during the last year to the amount of \$32,751,302, will be restored and doubtless somewhat advanced. This vast sum

will thus be added to the exchangeable value of property not belonging to capitalists but to the millions of hard-working men who own those cows and are struggling to pay with the income from them the mortgages which capital holds upon their farms. Not only this, but the number of cows will be greatly increased. There will not be slaughtered 30,000 of them for beef in the city of Chicago for the year to come, as your committee reported there was in the year that is past. They will be wanted for the dairy. To this extent, certainly, there will be an increased demand upon those who breed cattle for beef; and that branch of agriculture, now sadly discouraged, will take a fresh start. More hay and grain must be provided for the support of this increased number of animals, both for beef and the dairy, and more men found to feed and care for them. A corresponding demand for labor on the farm will surely follow and will draw off from the employ of the great corporations, to which all surplus labor tends, the discontented ones who are now the leaders in labor disturbances, but who would find in the great open field of agriculture, every department of which would feel the impulse of a restored dairy industry, an opportunity to gain for themselves and their families a subsistence, nay, more, a competence; and this is how the passage of this bill would begin to solve the labor problem. It would begin at the right end of it. [Applause.]

It would be more to the point than arbitration bills and investigating committees. A restored dairy industry would surely occupy, with valuable improvements, new areas of land, and as surely restore to fertility the old, much of which now lies fallow, thus adding millions to the productive and taxable wealth of the country. Nor is this all. A return to the production of honest butter would restore our export trade. For the last five years, since false butter has usurped the place of the true, there has been a steady decline in the annual export of American butter. That which was bought and shipped for genuine too often turned out to be spurious. As a result, no dealer would risk the sale of American dairy products in foreign markets, and the trade fell off. The extent of this decline is shown by the fact that in 1881 the total amount of American dairy exports was \$22,636,272. In 1885 it was but \$14,086,055, a decrease in four years of \$8,548,220. Instead of this there should have been an equal or greater increase. There is still another humiliating fact in this connection. It is this: Much of the butter which we exported in 1885 was not handled by American merchants, but by Canadian merchants, who first bought in our markets and shipped to Canada. Then, when reshipped from Canadian ports, it would go upon the European markets as Canadian butter, which is not yet under suspicion like our own, for there the manufacture of oleomargarine is absolutely prohibited. But let this same butter, perhaps perfectly pure, be shipped from an American port or by an American merchant, and it could be sold only at a reduced price.

Thus, because of these fraudulent imitations, is the commerce of this the foremost people in all the earth driven like a culprit to the use of an *alias* in order to make its way into foreign markets; thus also are American merchants deprived of the profits of handling this merchandise in those markets; thus is an annual outlet for nearly \$9,000,000 worth of dairy products closed and the business to that extent depressed; and thus as a people are we that amount poorer than we should be if that trade were not interrupted. We have that amount less annually of circulating medium, that amount less of gold and silver; for remember that our foreign exchange is always in gold and silver. Now, pass this bill and give to American dairy products a reputable entrance into foreign markets and you will bring into the United States within the next ten years of foreign gold and silver \$85,000,000 at least, and probably more. * * *

Pass this bill and you correct all the evils arising from counterfeit butter and put not only the dairy industry but the whole vast industry of agriculture upon a career of prosperity; and in its train shall follow all the other industries and the arts and the best culture of a progressive civilization. Refuse it, and you perpetuate all the evils above enumerated and engender others which in turn shall "become the hatch and brood of time." You deliberately protect a fraud which is sapping the very foundations of the farmer's success and crippling his every effort to get on in the world. You help capital, which holds the mortgage on his farm and owns also the oleomargarine factory, to destroy the butter market and thus deprive him of his last opportunity to keep down the interest on that mortgage, and then take from him the farm itself and turn him into the street a vagabond and a tramp; and when next you hear from him he is in the front rank of some labor agitation. Then to tide over the troubles produced by your unwise legislation a Congressional investigating committee will be in order.

By refusing this bill you continue a policy calculated to destroy the hope of the husbandman and drive not a few only but thousands from agriculture into other departments of labor already overcrowded. Can you afford to do this? Can you afford to break down and disperse into other pursuits the hardy tillers of the

oil, thus lessening the number of producers and increasing the number of consumers? A sound public policy lies in just the opposite direction—in developing and fostering every department of our agriculture, whereby enough may be gathered of the products of the earth to feed and clothe and preserve from distress and agitation all other departments of industry, and at the same time contribute in the most effectual manner possible to the national wealth. But enough. The general wisdom of this bill will not be disputed. Its justice to the farmer must be admitted. The salutary effect it will have upon our industries is apparent. The general demand of the American people for wholesome articles of food calls for it.

The absolute power over commerce between the States given by the Constitution to the National Government is one of the principal badges of the national sovereignty. It is an important, far-reaching power, and should be duly magnified. The future will bring it into exercise more than the past has done. The rapidly increasing commerce between the States will require from Congress constant supervision, and new rules will be required as new emergencies arise. In interstate commerce, which will increase with our increasing numbers and better facilities for intercommunication, shall be found the strongest future bond of union between these States. A free and fair interchange of commodities between the remote sections of the country will to our political and social relations add the ties of trade, than which between peoples and States none are stronger; and thus, in a vast domestic commerce, so regulated by Congress as to be mutually beneficial to all sections and all industries, shall be heard—

In the rushing wheels
Of trade's tumultuous jar—

the richest music of the Union.

Down the future, as our population becomes denser and our commercial rivalries sharper and our accumulated wealth greater, who can tell how this controlling authority of the National Government may be used to allay those rivalries, to check the greed of monopolies, to protect one State against the fraudulent products of another, and bring all departments of our domestic commerce, which is but the sum of our domestic industries, into such relations with each other as that each part shall contribute to the vigor of every other part, and thus create a harmonious system in which labor shall find employment, capital shall have its own, and every honest industry a fair chance? Now, this will be the problem for the future statesmen of this country to solve. This problem is, in fact, crowding upon us to-day. We have seen how this measure before us reaches out into all these questions. We have also seen that Congress has a double power over the subject. Let us then rise to the occasion and pass this bill. [Applause.]

May 29, 1886.

Mr. GROUT. Mr. Chairman, I rise to a question of privilege—the privilege of not being classed with any set of men whose convictions are at all "mixed" upon the question now under consideration—the privilege, to be more specific, of not going into the RECORD in this debate as from the State of Pennsylvania, as yesterday's issue, on page 524, in giving remarks of the gentleman from Illinois [Mr. HITT], puts me. Ordinarily, sir, I might not object to being credited to the grand old State of Pennsylvania—the State of "brotherly love," the nobility and hospitality of whose people are proverbial; but I can not permit it in this connection for the reason that her Representatives on this floor are somewhat "mixed" on this question of oleomargarine, some of them showing a strange disposition to pay their devotions at the shrine of this myriad monster, this mixed mystery of the modern magician. Hence, I ask that the RECORD at the point I have indicated may be corrected and that I may be credited where I belong.

Mr. KELLEY. Pennsylvania makes no objection. [Laughter.]

Mr. GROUT. I thank you, sir. Mr. Chairman, only for the kind consent of the distinguished gentleman it might have been difficult.

Mr. BAYNE. My friend will allow me to suggest that when the vote shall be taken on this bill it will be found that the Representatives of Pennsylvania are not very much "mixed."

Mr. GROUT. Very likely; but I want to be credited where I belong, since Judge KELLEY is willing I should be; and that is to the little but constant State of Vermont, whose people neither make nor eat oleomargarine, but do make 25,000,000 pounds of butter annually, with which you may butter your bread and not feel under the knife blade as you do it the wiggling kick of a million animalcules. [Laughter.]

But, since the gentleman from Pennsylvania, my friend Colonel BAYNE, speaks hopefully of the Pennsylvania delegation, let me ask that this correction be made without prejudice to him and without prejudice also to all others of that delegation who prefer butter to oleomargarine. [Applause.]

The following is the text of the bill that will be voted on in the House on the 6th of December next:

A bill (H. R. 2717) to make oleomargarine and other imitation dairy products subject to the laws of the State or Territory into which they are transported, and to change the tax on oleomargarine.

Be it enacted, etc. That all articles known as oleomargarine, butterine, imitation butter, or imitation cheese, or any substance in the semblance of butter or cheese not the usual product of the dairy and not made exclusively of pure and unadulterated milk or cream, transported into any State or Territory, and remaining therein for use, consumption, sale, or storage therein, shall, upon the arrival within the limits of such State or Territory, be subject to the operation and effect of the laws of such State or Territory enacted into the exercise of its police powers to the same extent and in the same manner as though such articles or substances had been produced in such State or Territory, and shall not be exempt therefrom by reason of being introduced therein in original packages or otherwise: *Provided*, That nothing in this act shall be construed to permit any State to forbid the manufacture or sale of oleomargarine in a separate and distinct form and in such manner as will advise the consumer of its real character free from coloration or ingredient that causes it to look like butter.

SEC. 2. That after the passage of this act the tax upon oleomargarine as prescribed in section 8 of the act approved August 2, 1886, and entitled "An act defining butter, also imposing a tax upon the manufacture, sale, importation, and exportation of oleomargarine," shall be one-fourth of 1 cent per pound when the same is not colored in imitation of butter; but when colored in imitation of butter the tax to be paid by the manufacturer shall be 10 cents per pound, to be levied and collected in accordance with the provisions of said act.

Mr. DALZELL. I yield now to the gentleman from Minnesota [Mr. TAWNEY] for three minutes.

Mr. TAWNEY. Mr. Speaker, in presenting this report to the House the gentleman from Pennsylvania [Mr. DALZELL] has correctly stated that this provides for the consideration of a bill in which much interest has been manifested on the floor of the House.

I want to say to him that the interest manifested in the House is but a faint reflection of that interest which has been manifested for more than six months throughout the entire country by the farmers of the United States who have petitioned this House for the passage of the Grout bill.

This bill was introduced in the House last December. Had not its consideration in the Committee on Agriculture and its passage in the House been resisted as the passage of no other bill has been resisted from the beginning of this session of Congress, it would have been a law before now.

Only those members of the House who were intimately associated with those who have worked for the passage of the bill or for a favorable report in the committee have any conception of the fierce opposition which we have met on every hand.

Because of the conspiracy of the oleomargarine manufacturers to prevent a favorable report from the Committee on Agriculture and favorable action in the House on that report, we are now unable to do more than fix a time for the consideration of the bill on the third day of the next session.

It is to be regretted, Mr. Speaker, that the Committee on Agriculture could not secure action upon this bill in time to report it for consideration and passage before the closing hours of the present session of Congress. It is to be regretted further, sir, that the Committee on Rules did not see fit to give as much time to the consideration of the bill as they have given to the consideration of the resolution for its postponement until next December.

Had the committee given us twenty minutes—aye, had they given but five minutes—or had they given time simply for the House to vote upon the bill, without debate, we would have passed the bill and given to the 5,000,000 farmers of the United States who have petitioned for its passage the relief they are clearly entitled to under every principle of right and justice.

But, sir, notwithstanding our failure to secure early consideration in the committee and in the House, and notwithstanding the serious opposition we have encountered from the beginning, we have made substantial progress and are, by this resolution, nearer the final triumph of the farmer over the manufacturers of counterfeit butter than ever before. Mr. Speaker, while I do not favor postponing the consideration and passage of this bill until next December, yet in view of the fact that the author of the bill has acquiesced in the conclusion and judgment of the Committee on Rules, which is that it is better to postpone the consideration until that time—

Mr. GROUT. Oh, no; not that.

Mr. TAWNEY (continuing). I must acquiesce in that determination, and shall support the report of the Committee on Rules.

Mr. GROUT. Mr. Speaker, the gentleman has misunderstood me. I desire to correct what he said. I did not say that I was in favor of acquiescing in the postponement of the bill until next December rather than considering it now; but I did say that rather than take the chances, in the present condition of the public business for its consideration at this session, I would accept the suggestion of the Committee on Rules and let it go over.

Mr. SULZER. It seems to be, then, a case of Arcades ambo.

Mr. DAVIDSON. Mr. Speaker, I hope the rule presented by the gentleman from Pennsylvania will be adopted. I have been as anxious to have this matter considered at this session as any member upon the floor of this House. I realize, however, that

the closing hours of the session are here; that there are many important matters before the House which must be considered, and that we can not now expect to secure an opportunity to discuss this measure or act upon it before adjournment.

In view of this situation, if the consideration of this bill can be definitely fixed for the 6th of December next, I am satisfied. The next session will open on Monday, December 3. The 6th will be Thursday of that week. As this session will probably adjourn to-morrow, it would be impossible to secure action upon this bill in the Senate at this session, even if we could consider and pass it through this House.

To delay action until December only operates as a delay of about one legislative week, and there is no question, in my judgment, but what when this bill is taken up for consideration it will be passed by this House.

We will then send it to the Senate, and I hope that body will pass it before we adjourn on the 4th of March. We will thus bring relief to the farmers and to the consumers who are interested in this subject at the next session of Congress, and as quickly as we could if we passed the bill through the House at this session.

Therefore, Mr. Speaker, I hope the rule will be adopted and the bill made the special order for December 6, at which time I firmly believe the Grout bill will be passed.

Mr. DALZELL. Mr. Speaker, I yield to the gentleman from Tennessee [Mr. RICHARDSON] five minutes.

Mr. RICHARDSON. I yield to the gentleman from Texas [Mr. BAILEY].

Mr. BAILEY of Texas. Mr. Speaker, I shall not follow the example of my distinguished friend from Vermont [Mr. GROUT] and attempt discussion of the merits of this bill itself, because its merits are not now properly before the House. When the time arrives for its consideration, however, the gentleman from Vermont will find that there are two sides to this proposition. [Applause on the Democratic side.]

He will find that it is not true that those of us who oppose the passage of this bill are attempting to protect and sanction fraud. The advocates of it before the Committee on Agriculture made no effort to conceal the fact that it is a bald attempt to invoke the power of Congress to suppress honest competition between two commodities. [Applause on the Democratic side.] But I leave that for a future discussion.

It was not more acceptable to me than it was to him that we should agree upon this rule. While he disliked to postpone the consideration of the bill, I equally disliked to agree to fix a day for its consideration. But the condition of the public business, the time for the adjournment, matters which can not be postponed, all combined to make it desirable to eliminate this question of controversy from the remaining hours of the session.

Had the friends of the measure succeeded, under the roll call of the committee, in bringing it before the House for consideration, those of us who oppose it would have felt constrained to pursue such methods of opposition, in order to obtain a fair discussion of it, as would have practically prevented the transaction of other important business.

Mr. WILLIAMS of Mississippi. Will the gentleman yield?

Mr. BAILEY of Texas. Yes.

Mr. WILLIAMS of Mississippi. I have just this moment come in. Is there any provision in this rule whereby a substitute for the bill and amendments to the bill can be considered?

Mr. BAILEY of Texas. Undoubtedly. The object of the rule is to carry the whole question over in exactly its present status, and bring the House to the consideration of the bill in December.

Mr. WILLIAMS of Mississippi. Does the rule expressly provide that a substitute can be offered and considered and that amendments can be offered and considered?

Mr. BAILEY of Texas. Undoubtedly.

Mr. DALZELL rose.

Mr. BAILEY of Texas. Does the gentleman from Pennsylvania desire to say anything?

Mr. DALZELL. I thought the gentleman from Mississippi asked a question.

Mr. BAILEY of Texas. The gentleman from Mississippi inquired if the rule permitted the minority to offer its substitute, and I replied that it did.

So it has happened, Mr. Speaker, that a proposition acceptable in full to neither side has practically commanded the united support of both sides, and thus has furnished the House an easy way out of an embarrassing situation.

Mr. DALZELL. I yield five minutes to the gentleman from Illinois [Mr. LORIMER].

Mr. LORIMER. Mr. Speaker, representing those of the Agricultural Committee who signed the minority report, and representing the subcommittee, I wish to call attention to the statement made by the gentleman from Vermont [Mr. GROUT] and the gentleman from Minnesota [Mr. TAWNEY], that we have had the Grout bill under consideration since some time in December.

It is true, Mr. Speaker, that the Grout bill was introduced in December, but it is further true that the subcommittee, at the request of the National Dairymen's Union, delayed the meetings arranged for by the committee to give hearings to the butter people of the country until the 7th day of March, and in no way can the subcommittee or the Agricultural Committee be truthfully charged with having delayed a report on this question.

Immediately after the hearings on the part of the butter people, our committee received letters and telegrams from all over the country—from the cattle interests, from the cotton-seed interests, and from the labor unions—requesting that nothing be done with the Grout bill until they had an opportunity to present their side of the case.

One week after the butter men had finished their hearings we began the hearings of the cotton-seed-oil people, the labor unions, and the cattle industry of the country; and every week, and sometimes three days in the week, the committee have devoted their time to these hearings. Here is a printed copy of 229 pages of the hearings.

There is not the slightest question, Mr. Speaker, but what everybody has had an opportunity to present their side of the case, and because of this delay, because the committee has had hearings since the 7th day of March until the 23d day of May, we will be able to consider this question of oleomargarine in a better and in the only way that we can consider it intelligently.

Mr. WACHTER. What are the views of the labor unions?

Mr. LORIMER. The labor unions to a man are opposed to the passage of this measure. Gentlemen say that the Grout bill is a remedy for the evil. The only objection to the manufacture and sale of oleomargarine is that it is sold, fraudulently sold, for butter. There is nothing in the Grout bill that tends to prevent the fraudulent sale of oleomargarine.

There is nothing in the Grout bill that can in any way throw a safeguard about the sale of oleomargarine. The only way the Grout bill prevents the sale of oleomargarine is to stamp out that industry. They propose to tax it out of business.

The SPEAKER. The time of the gentleman has expired.

Mr. DALZELL. I yield the gentleman one minute more.

Mr. LORIMER. The minority of the committee have reported a substitute for the Grout bill. The minority of the committee are determined to prevent the fraudulent sale of oleomargarine, and they in fact are the only members of that committee that desire to prevent the fraudulent sale of oleomargarine and permit that industry to go on.

They have reported a substitute that has thrown about the sale of oleomargarine such safeguards as will if enacted into law make it absolutely impossible to sell an ounce of oleomargarine without the purchaser of the article knowing that which he has purchased. [Loud applause.]

The SPEAKER. The time of the gentleman has expired.

Mr. DALZELL. How much time have I remaining, Mr. Speaker?

The SPEAKER. The gentleman has two minutes remaining.

Mr. DALZELL. Will the gentleman from Tennessee yield me a little time to yield to the gentleman from Connecticut?

Mr. RICHARDSON. I yield to the gentleman five minutes.

Mr. HENRY of Connecticut. I do not want but a very brief time. I just want to say—

The SPEAKER. The Chair did not understand the arrangement that was made.

Mr. DALZELL. The gentleman from Tennessee has yielded me five minutes, which I yield to the gentleman from Connecticut.

Mr. HENRY of Connecticut. Mr. Speaker, I merely want to correct the misrepresentation, but not, I am sure, the intentional misstatements of the gentleman from Illinois. It is true that this bill was not considered until early in March, and that the consideration was delayed at the request of the dairy and butter interests; yet it is also true that the hearing, so far as the friends of the bill were concerned, was concluded before the 1st of April.

I may say that, with the subcommittee having the bill in charge, with only one member upon it in favor of the bill, that there has been an endeavor and a deliberate plot to prolong the hearings and so prevent the consideration of the bill during the present session of Congress.

I do not care to give away any committee secrets; but if the bill had been fairly treated and considered by the subcommittee, if the friends of the bill had had fair treatment, the bill would have been favorably reported in this House a month ago, and would have been considered and passed, and I believe would also have been passed by the Senate during the present session of Congress.

I can not have an intimation go forth that the dairy interests, who demand this legislation, are at fault for these prolonged hearings and for the delay in reporting the bill. I am not opposed to the adoption of the rule. Under existing conditions I think it is the best disposal that can now be made of the bill.

Mr. DALZELL. I reserve the balance of my time.

Mr. RICHARDSON. How much time have I left now, Mr. Speaker? I yield five minutes to the gentleman from Mississippi [Mr. WILLIAMS].

The SPEAKER. That is safe.

Mr. WILLIAMS of Mississippi. Mr. Speaker, there is no measure before this House that has been talked about more and is less understood than the Grout bill and the substitute reported by the minority of the Committee on Agriculture to take the place of the Grout bill.

In response to my friend from Connecticut—and I call him my friend advisedly—I wish to say that there has been absolutely no waste of time by the opponents of the Grout bill on the Committee on Agriculture. I wish to make the statement that the advocates of the Grout bill wasted three months of the time themselves before that committee, and that afterwards the opponents of the Grout bill spent only the balance of the time, which was very much less.

Mr. HENRY of Connecticut. The gentleman will recollect that the opponents of the bill were not heard until, as the gentleman said—

Mr. WILLIAMS of Mississippi. I remember, and the chairman of the committee will bear me out, and all the members of the committee will bear me out, that the advocates of the Grout bill delayed the committee three months in coming before the committee, and we waited on them that length of time, and that was the chief cause of the delay before the committee. Now, gentlemen, you have got to make up your minds—

Mr. GROUT rose.

Mr. WILLIAMS of Mississippi. I have only five minutes. You must make up your minds now or make them up next December, which one of two courses you are in favor of—whether first you want to stamp out fraud; if so, you will vote for the substitute we have offered; or whether you want to stamp out an industry, in which case you will vote for the Grout bill.

The object of the Grout bill is to stamp out an industry, and the Grout bill either succeeds in stamping out the industry or else it is absolutely ineffective and does not accomplish its own purpose. The idea back of it is to make the manufacture of oleomargarine too expensive for it to be manufactured at all.

There is an effort in the Grout bill to transcend and overcome the constitutional guaranty—the indirect guaranty—of freedom of traffic between the States. There is an effort either to stamp out the existence of the industry which builds up some of the States in some respects for the benefit of an industry which has its place all over the United States. This bill never would have been considered one minute, and the committee never would have passed it, the committee would have given it no serious hearing now, but for the fact that all of us hold our places at the behest of constituents somewhere or other.

I know not one but many, very many, men who confess when you talk to them privately that the Grout bill is absolutely and wholly wrong, but who say they must vote for it.

What is the substitute? The substitute makes provision in accordance with our experience with the frauds now existing, in accordance with the virtual recommendation of the Commissioner of Internal Revenue in his testimony before the Committee on Agriculture, in accordance with the opinion of the Elgin creamery, in accordance with the views of the Chemist of the Agricultural Department in his testimony before the committee. It makes provision to cure existing troubles, the leaks and loopholes, whereby the present law has been violated and can yet be violated.

Now, gentlemen, I want to-night to spend the time in asking each member of this House, in begging him, to read the minority report and to read the substitute which is offered to this bill, and I will abide by the conscience and honor of any honest man in this House whose object is to prevent oleomargarine from being sold as butter. [Applause.]

Of course I can not abide by the conscience and honor of any man who is so narrow and bigoted as to desire to stamp out an industry merely because it is somebody else's industry and competes with his. I can not argue and can not reason with a man who is so narrow and so bigoted as that, because every time I undertake to prove he is hurting me and hurting my people, I strengthen him in his purpose and in his resolve.

But for the men here whose honest purpose it is to prevent the sale of oleomargarine as butter, which is the fraud complained of; whose honest purpose it is to take advantage of experience and observation of violations of the law and the manner in which they can be done and stop them for the future—those men will vote for the substitute offered by the minority of the committee. If there be any man whose desire it is to stamp out the industry, law or no law, why, of course that is a different proposition.

Now, Mr. Speaker, I find two very generally disseminated pieces of misinformation. I find men in this House who do not seem to know that there is already an oleomargarine bill. This House is full of men who do not seem to know that the manufacturers of

oleomargarine pay a license and are subjected to the regulations of the Government to-day; that the retailers pay a license and are subject to the regulations of the Government to-day. Yet all that is true.

When we had the Internal-Revenue Commissioner before us he told us that the only complaint, the only substantial complaint, in fact the only complaint, was as to the execution of the law when the wholesale package reached the retailer and he was permitted by existing law to take it to pieces in order to sell it and rewrap it. Very frequently he failed to comply with the present provisions of the law to rewrap it with a wrapper containing the word "Oleomargarine" on it, or else he rewagged it with the word turned down.

What did the committee do? It adopted the suggestion making the retailer sell the package just as it came from the manufacturer, with the oleomargarine brand and the internal-revenue stamp wrapped around it so that the package, if broken, would be self-evident proof of the fact that the law had been violated.

Mr. RICHARDSON. I yield three minutes to the gentleman from Maryland [Mr. PEARRE].

Mr. DALZELL. And I yield to the gentleman two minutes more.

The SPEAKER. The gentleman from Maryland has five minutes.

Mr. PEARRE. Mr. Speaker, in the very limited time allowed me to express my views on the subject of the anti-oleomargarine legislation it would be absolutely fruitless for me to make an effort to go into the discussion of the matter with any degree of detail. I will first direct my remarks toward making a reply to some things which have been stated by the gentleman from Mississippi.

As I understand this contention, it does not so much involve the question whether oleomargarine is a pure-food product as whether the most gigantic fraud of the century should continue to permeate the civilization of this country and to destroy the morals of the people.

Mr. Speaker, whether it be or be not a pure food product, any gentleman who is devoted to a correct administration of the law and to the maintenance of justice and purity in the sale of any commodity to the people will concede that lard should not be sold as butter, that mutton tallow should not be sold as butter, without regard to the question whether lard or mutton or cottonseed oil be a pure food product or not. Although it may be a pure food product, it should not be sold for butter.

Now, the purpose of the advocates of anti-oleomargarine legislation is to see to it that these gentlemen engaged in the manufacture of oleomargarine shall not continue to perpetrate throughout the United States a fraud such as has characterized their conduct in every State of the Union.

In the State of Pennsylvania, represented by the gentleman who is acting chairman of the Committee on Rules [Mr. DALZELL], there is a law on the statute books to-day which prohibits the manufacture or sale of oleomargarine as butter. Yet, sir, despite that drastic law, 18,000,000 pounds of oleomargarine are sold in the State of Pennsylvania annually.

In the State of Illinois, so ably represented by the gentleman who has already addressed the House, although there is a drastic law against the sale of oleomargarine, yet during the last year 11,000,000 pounds of colored oleomargarine were sold in spite of the restrictive laws of Illinois.

Mr. Speaker, in my own good State of Maryland, where there is a law prohibiting absolutely the manufacture or sale of oleomargarine, within the last year, in spite of that law and of the courts and prosecuting officers, nearly 2,000,000 pounds of colored oleomargarine have been sold.

The gentleman tells us that labor organizations throughout the country, representing the bone and sinew and yeomanry of the land, are in favor of this fraud. I cast back into the teeth of the gentleman the imputation that the bone and sinew of this country is in favor of any fraud.

I represent, sir, the strongest, most intelligent, and most honest laboring constituency of the United States; I speak particularly of the sturdy miners of my native county; and although I have had a thousand letters from the farmers and other citizens of my district in favor of the Grout bill, I have yet to receive from one of the laboring men of my district, closely associated with labor organizations as those men are, a single word of protest against the bill introduced by the gentleman from Pennsylvania.

Within the last three days I have had resolutions sent to me from the mining unions of Allegheny County advocating certain legislation, but not one protest against the passage of the Grout bill. [Applause.] Mr. Chairman, I warn this House to heed the protest of the 5,000 farmers of this country against this iniquitous traffic which is sapping their vitality and bringing them into competition with a fraud. They ask only for justice, and the honest workingmen of the country are behind them.

Mr. RICHARDSON. I yield the remainder of my time to the gentleman from Texas [Mr. HAWLEY].

Mr. HAWLEY. Mr. Speaker, this bill is not on trial here tonight; but if this House should vote to pass this measure it will take a step toward doing away with the American spirit of fair play; it will do that which has never been done since this was a Government—it will attempt to destroy interchange of domestic industry, that exists and always has existed between the States.

I shall acquiesce in this rule. I shall do so because I believe that, notwithstanding the pressure on the other side in favor of this measure, there are gentlemen on that side as well as on this who, when they come to vote on this question, will not have impending over their heads the election and its issues, and who will have the broad conscience to come to the rescue of fair play and free trade between the States and vote to send this bill back, as it ought to be sent, to the committee, in order that the Wadsworth bill may come before this House.

Gentlemen who speak against oleomargarine forget one thing—that this measure is not in the interest of the farmer, it is not in the interest of the woman who churns, but it is in the interest of the dairy and creamery establishments that are using their great force to see that this industry may be destroyed in order that their industry may be built up; and when that is done—

The SPEAKER. The time of the gentleman has expired.

Mr. HAWLEY. Just one moment more.

The SPEAKER. The time for this debate has expired.

Mr. HENRY of Connecticut. Mr. Speaker—

The SPEAKER. For what purpose does the gentleman from Connecticut rise?

Mr. HENRY of Connecticut. I reserved the balance of my time. I had five minutes and used only a portion of it.

The SPEAKER. The remaining time was yielded back to the gentleman from Tennessee [Mr. RICHARDSON].

Mr. HENRY of Connecticut. I did not yield it, Mr. Speaker. I said that I reserved the balance of my time.

The SPEAKER. The time has been occupied, having been given to the gentleman from Tennessee.

Mr. HENRY of Connecticut. But nobody had a right to do that; I reserved it. I ask, then, unanimous consent to be allowed to occupy the floor for two minutes.

The SPEAKER. The gentleman from Connecticut asks unanimous consent to proceed for two minutes. Is there objection?

Mr. DALY of New Jersey. I object.

Mr. HENRY of Connecticut. I claim it as a right.

The SPEAKER. One moment. Does any gentleman rise to object to the request of the gentleman from Connecticut?

Mr. DALY of New Jersey. I object.

The SPEAKER. Objection being made, the question is on the adoption of the resolution.

The resolution was agreed to.

EMERGENCY RIVER AND HARBOR WORK.

Mr. BURTON. Mr. Speaker, I desire to submit a conference report. I call up the conference report on the bill (H. R. 1164) making provisions for emergencies in river and harbor work, etc.

The SPEAKER. Does the gentleman desire the report or the statement to be read?

Mr. BURTON. I ask to have the statement of the conferees read, which, I think, will be sufficiently explanatory.

The SPEAKER. Without objection, the reading of the report will be omitted and the statement of the House conferees read instead.

There was no objection.

The statement of the House conferees was read, as follows:

The House conferees on House bill 1164, an act making provisions for emergencies in river and harbor works, for certain surveys, and for the division of certain appropriations, or modifications of provisions heretofore made, would say: After full consultation with the Senate conferees, they have agreed upon a report.

The principal changes in the bill from the form in which it passed the House are as follows:

First. Additional appropriations aggregating \$60,000, being \$50,000 added to the sum of \$200,000 provided for emergencies and for surveys, and \$10,000 for a special survey of a proposed harbor in the island of Guam, to be made under the direction of the Secretary of the Navy, who shall appoint for that purpose two naval officers, and the Secretary of War one engineering officer of the War Department. Of the surveys added by the Senate, 21 were incurred in, and for three surveys included as amendments by the Senate to the bill provision was made for preliminary examinations.

An important change was made by the Senate in the provisions pertaining to a termination of the contract with the heirs or legal representatives of James B. Eads, limiting the action to be taken by the Secretary of War to the appraisement of their property. On full consideration the Senate conferees, with slight modifications, receded and agreed substantially to the provision as it appeared in the House bill.

In section 4, providing for certain diversions from appropriations, or modifications in project, the Senate amendments pertaining to Milford Haven, Ashland Harbor, Wisconsin, and Warroad River Harbor, as well as the outlet of the Mississippi River, were concurred in.

T. E. BURTON,
WALTER REEVES,
Conferees on the part of the House.

Mr. BURTON. Now, Mr. Speaker, if there are no questions to be asked, and no desire for debate, I ask the adoption of the report.

Mr. GROSVENOR. I would like to inquire of the gentleman

the present status in regard to the proposed work, in the original bill, on the Ohio River?

Mr. BURTON. I will say to my colleague that the provision for the preliminary examination to which he refers was stricken out of the bill in conference.

Mr. NEWLANDS. Let me ask the gentleman what disposition was made of the Senate amendment regarding the improvement of the Colorado River?

Mr. BURTON. From the Eldorado Canyon to Rioville has been included in the report.

Mr. BROMWELL. As I understand the gentleman, the provision remains in the bill which was put in to continue the survey of the Ohio River for the location of the 6-foot dam?

Mr. BURTON. For a survey from Marietta to the mouth of the Big Miami River, in accordance with the provisions of the act of March, 1899, an appropriation has been made. That was made necessary because the money appropriated for the survey was exhausted. The expense is to be paid from the general fund heretofore appropriated for the improvement of the Ohio River.

I move the adoption of the report.

The report was agreed to.

EXTRADITION.

Mr. RAY of New York. Mr. Speaker, I present a conference report. I ask unanimous consent that the reading of the report be dispensed with and that the statement be read instead.

The SPEAKER. Without objection, the reading of the report will be dispensed with, and the statement will be read.

There was no objection.

[For conference report see Senate proceedings.]

The statement of the House conferees was read, as follows:

The Senate recedes from its amendments to said bill and agrees to the same with new amendments, the effect of which are as follows:

1. Under the House bill a person offending against *any* of the criminal laws in force in the country or territory to which the offender is to be taken for trial could be taken thereto. Under the amendment as agreed to offenders can not be extradited or surrendered for every slight offense, such as petit larceny, simple assaults, etc.

2. The words "authorities in control" were deemed too indefinite, and the substitution of the "military governor or other chief executive officer in control" makes certain what officer is to make the demand for the surrender of the alleged offender.

3. In striking out the words "or a justice" it is left for a judge of a district or circuit court or of a Territory, or of the courts in the District of Columbia, to determine when the offender shall be surrendered. It was not deemed wise to impose any such duty upon a justice of the Supreme Court of the United States.

4. Another amendment provides that no person charged with the commission of a political offense shall be surrendered for trial.

5. The word "secure" has been substituted for the word "guarantee." The authorities in control are required to secure the accused person a fair and impartial trial. The word "guarantee" was deemed too strong, and, perhaps, not the proper word to use.

The effect of the bill as it passed the House is not changed, and under it offenders against law, except mere trivial offenses, will be surrendered and returned for trial to the place where the crime was committed.

GEO. W. RAY,

JULIUS KAHN,

Conferees on the part of the House.

Mr. RAY of New York. I move the adoption of the conference report, and upon that I demand the previous question.

Mr. DE ARMOND. I should like to have a little further explanation of the provisions of the bill as you have agreed upon it.

Mr. RAY of New York. Certainly. The Senate was not content with the language of the bill wherein we said that when these persons referred to have offended against any of the laws of the foreign country in possession of the United States and fled, they may be arrested in the United States, and if evidence showing probable cause of guilt is produced, that they shall be surrendered on the order of a judge or justice of the United States courts.

The Senate thought such persons ought not to be surrendered on a charge of light and trivial offenses. We have therefore defined in the bill the offenses for which alleged offenders may be extradited, or removed for trial, rather.

Mr. LANHAM. They are all felonies, are they not?

Mr. RAY of New York. Well, not exactly; but I will hand the gentleman a copy of the bill as agreed upon, that he may have it before him. I think the description is broad enough to cover everything that has occurred or that will occur.

Of course we claimed on our part that the good faith of the Government is pledged for good order and the enforcement of law, and that trivial offenses ought to have attention, and that it would be sufficient to leave to the discretion of the military governor, or chief executive officer in control, to determine when extradition shall be demanded.

The Senate thought that provision ought not to go in, and there is a strong feeling in the Senate in that regard, I am informed. Therefore we have agreed upon the extraditable crimes and offenses as defined by the Senate in its proposed amendment. I may say here that the crimes and offenses for which alleged offenders may be taken to the foreign country or territory for trial are the same specified in our treaties with foreign nations, and embrace all of them.

Mr. LANHAM. I believe the Senate so amended the bill as to make it operate only in Cuba?

Mr. RAY of New York. They did in the first instance, but they have yielded that point, agreeing that the House bill is wise and proper.

Mr. LANHAM. They have receded from that?

Mr. RAY of New York. They have receded from that proposition.

Mr. LANHAM. And the bill in that respect is left precisely as it was when it passed the House?

Mr. RAY of New York. Left substantially as it was when it passed the House. Cuba is not mentioned in the bill.

Now, we used the words "a judge or justice of the courts of the United States." They desired to strike out the words "or justice," because they thought it was improper to impose any such duty as this bill would impose upon a justice of the Supreme Court of the United States, and with that view we agree.

Mr. LANHAM. You provide now for a judge of the district court to hear the matter?

Mr. RAY of New York. These matters will be heard by a judge of the district court or a judge of the circuit court, or, if a case should arise in the District of Columbia, a judge of one of the United States courts in the District of Columbia, and if in a Territory, then the case would be heard before a United States judge in the Territory. All hearings will be before a judge.

Mr. ALEXANDER. Did they strike out "probable cause?"

Mr. RAY of New York. No; we had a long argument over that. The Senate conferees sought to insert in the bill a provision that if the judge should "be satisfied" in any manner, that should be sufficient to authorize removal. To that we on our part would not agree, and it is left that there must be evidence of probable cause produced before the judge—that is, evidence establishing probable cause to believe that the alleged offender is guilty of the offense charged must be produced.

Now, one other change. We used the word "guarantee" in the bill providing that the authorities of the United States shall guarantee to the accused person a fair and impartial trial. The Senate conferees were fearful that the word "guarantee" might embrace too much and insisted that if the military governor and the authorities of the United States are required to secure a fair trial that will be all-sufficient. I think that proper.

Another change to which I will call your attention: We did not have in the House bill a provision that a person should not be removed for trial on a charge of having committed an offense of a political nature.

We have accepted the Senate suggestion in that regard, and the bill as agreed upon provides that no return or surrender shall be made of any person charged with the commission of an offense of a political nature. I think we all agree that that provision is wise and proper, and ought to be in the bill. Aside from these changes, it is substantially the House bill as we originally passed it.

Mr. DE ARMOND. Did not the Senate provide for limiting it to Cuba during our occupation of Cuba?

Mr. RAY of New York. It did in the first instance.

Mr. DE ARMOND. That was in the Senate bill.

Mr. RAY of New York. But the Senate conferees have yielded on that.

Mr. DE ARMOND. I am very sorry they did, because I think that ought to be in still.

Mr. RAY of New York. We thought we ought not to be legislating in reference to Cuba.

Mr. LENTZ. Will the gentleman from New York yield for a question?

Mr. RAY of New York. Certainly. But, Mr. Speaker, I shall have to ask for order.

Mr. LENTZ. This is not on the New York ice trust, which you were speaking on the other night, is it?

The SPEAKER. The gentleman will suspend until order is obtained.

Mr. LENTZ. Is this the trust bill?

Mr. RAY of New York. Oh, no. It is an extradition bill, providing for the removal of criminals for trial.

Mr. LENTZ. It is to break up the Republican trust of post office thieves in Cuba.

Mr. STEELE. How funny!

Mr. RAY of New York. There is no such trust there, I beg to inform the gentleman. The bill is not of that character.

Mr. LENTZ. I understood from the papers they had a trust of that kind there.

Mr. RAY of New York. Nothing of the kind.

Mr. STEELE. You are taking it too serious.

Mr. RAY of New York. I am always willing to give the gentleman from Ohio information; he is always in need of it.

Mr. LENTZ. I am always, on that subject.

Mr. RAY of New York. If there is no other question, I ask for the previous question.

The SPEAKER. The gentleman from New York asks the previous question.

The question was taken; and the previous question was ordered.

The SPEAKER. The question is on agreeing to the report of the committee of conference.

The question was taken; and the report of the committee of conference was agreed to.

MILITARY ACADEMY APPROPRIATION BILL.

Mr. HULL. Mr. Speaker, I submit the report of the conferees on the House bill making appropriation for the Military Academy.

The SPEAKER. The gentleman from Iowa calls up the conference report on the Military Academy bill.

Mr. HULL. And, Mr. Speaker, I ask unanimous consent that the statement may be read.

The SPEAKER. Without objection, the statement will be read, and the report will be omitted. [After a pause.] The Chair hears none.

The statement of the House conferees was read, as follows:

The managers on the part of the House on H. R. 11538, making appropriations for the Military Academy, make the following statement:

The House recedes from amendments Nos. 1 and 2. These amendments increase the pay of the band \$50 per month.

The Senate recedes from amendments 3, 4, and 5, making the day of a watchman consist of only eight hours.

The House recedes from amendment No. 9, which gives extra-duty pay to enlisted men, as provided by acts for the Military Academy for the years 1807, 1808, and 1809.

No. 7 is only a verbal amendment, and House recedes.

No. 8 only applies to totals, and House recedes with an amendment to make the total correct.

No. 9: Increases the pay of master of the sword \$100 per annum. House recedes.

No. 10: Gives the master of the sword the rank, pay, and allowance of a first lieutenant. The Senate recedes.

No. 11: Increases the pay of the teacher of music from \$1,000 to \$1,400 per annum. The House recedes.

No. 12: Gives the teacher of music the pay and allowance of a second lieutenant with length of service pay and right of retirement. The Senate recedes.

No. 13: Makes the pay of keeper of the cemetery \$900 per annum; and the House recedes.

No. 14: Is simply the total; and House recedes.

No. 15: Simply authorizes the Secretary of War to make purchase of technical and scientific supplies without advertising. House recedes.

No. 16: Is for a sea wall at river front. House recedes.

No. 17: Is simply the total.

No. 18: The House agrees to, with an amendment which makes it clear that the Lieutenant-General must come from the line of the Army.

No. 19: Gives the Adjutant-General of the Army the rank, pay, and allowances of a major-general. The House recedes.

No. 20: Relates to cadets at West Point. The House agrees to the same with an amendment giving one to each Congressional district, one to each Territory and the District of Columbia, two from each State, and thirty from the country at large.

J. A. T. HULL,

W. P. BROWNLOW,

JAMES HAY,

Managers on the part of the House.

Mr. HULL. Mr. Speaker, I ask the previous question on the adoption of the report.

Mr. SULZER. Mr. Speaker, I would like to—

The SPEAKER. Does the gentleman from Iowa yield?

Mr. HULL. I do.

Mr. SULZER. I would like to ask the gentleman whether this is a unanimous conference agreement?

Mr. HULL. It was unanimous except, as I understand, upon the two propositions of the Lieutenant-General and the major-general, one of the conferees would not sign it.

Mr. HAY. I would ask the gentleman to yield to me to state why I would not sign the conference report.

Mr. HULL. Mr. Speaker, I will not ask the previous question. How much time does the gentleman require?

Mr. HAY. Only five minutes.

Mr. HULL. I yield the gentleman five minutes.

Mr. SULZER. I would like to have a little more time. Will you give us twenty minutes?

Mr. HULL. I think so. I yield five minutes to the gentleman from Virginia.

Mr. SULZER. Mr. Speaker, let us have this understood.

Mr. HULL. I have the floor, and I yield to the gentleman from Virginia.

Mr. HAY. I do not believe I will consume that much time.

I stated this afternoon why I could not vote for the proposition of the Senate to make General Miles a Lieutenant-General and for General Corbin's promotion. I simply rise to state that I could not sign the report of the conference because I did not believe that ought to be done, and therefore I hope that the conference report will be voted down. That is all I have to say.

Mr. LANHAM. Will the gentleman yield to me for a question?

Mr. HULL. Certainly.

Mr. LANHAM. I did not understand exactly from the statement about the cadets to be appointed—how many?

Mr. HULL. I will say that the cadets as now provided by law

are 1 from each Congressional district, 1 from each Territory, 1 from the District of Columbia, and 20 at large. This amendment, if agreed to, will give an increase of the cadets to 100 more than they have now.

Two from each State and 30 to the President at large, increasing the number to the President 10, and the 2 from each State, making 90, which makes the net increase in the corps of cadets. And I want to say, Mr. Speaker, in this connection, with this increase of the cadets—

Mr. SMITH of Kentucky. Mr. Speaker—

Mr. HULL. If we give an additional hundred cadets at West Point, it will make an increase of officers in the Army not exceeding, at the outside, fifteen a year. With the number that fail to enter, the number that fail to graduate, the vacancies that exist, 60 per cent, I think, is fully an average of the number that get through.

Mr. LANHAM. How are they to be appointed?

Mr. HULL. They are to be appointed the same as from the District, on the nomination of the Senate, because we have ours. It is a courtesy extended to us, and that is the unwritten law. The committee of conference believed that 50 for the President at large was too many for him to have to select without regard to anything but his own desire.

Not that we believe he or any other President would abuse it, but it would concentrate upon him a vast amount of effort. We believe the increase of artillery with the number of vacancies in the Army, extending into the hundreds, so that the increase of cadets would give a larger proportion of officers for the Army. For three or four years they will still come from civil life; but we need for the artillery, the coast defense, the cavalry a nucleus of efficient officers.

Mr. LACEY. I understand the Senate put an amendment on the bill increasing the cadets 50. The House nonconcurred and the conference committee have increased it to a hundred.

Mr. HULL. I want to say that a great many of the Senators were not anxious to have the cadets, because they are afraid of trouble of being called upon to nominate them.

Mr. FLYNN. I want to ask the gentleman if the Territories get anything?

Mr. HULL. No; nor the Congressional district, either.

Mr. FLYNN. If we had statehood, we would be entitled to six.

Mr. HULL. Five.

Mr. FLYNN. I had an understanding with the gentleman, and I believed from the conversation I had with him that he would favor the addition of one to each Territory.

Mr. HULL. I was in favor of it, and I suggested it and favored it, but the Senators would not agree to it.

Mr. CLARK of Missouri. If the Senate did not want these cadets, why did you force it upon them?

Mr. HULL. Because we believed that the country ought to have it. We have a great plant there. We pay for the instructors, we pay for the appliances, we have got the buildings, and the Government is entitled to them.

Mr. SULZER. I ask the gentleman from Iowa to yield me ten minutes. I want to divide it among gentlemen on this side. This is an important matter, and we should have this ten minutes' time.

Mr. HULL. No; that is too much time. I will yield to my colleague [Mr. SULZER] five minutes. There is another great appropriation bill coming in, and it is now after 11 o'clock.

Mr. SULZER. Several members on this side wish for time.

Mr. HULL. I will yield five minutes to the gentleman from New York.

Mr. SULZER. I do not want to take up five minutes, but I want to yield a few minutes to the gentleman from Illinois [Mr. JETT] and the gentleman from Ohio [Mr. LENTZ].

Mr. HULL. The gentleman from Illinois and the gentleman from Ohio are able to speak for themselves.

Mr. SULZER. I would like to ask the gentleman if he will yield to these gentlemen? [Cries of "Vote!" "Vote!"] I yield three minutes to the gentleman from Illinois [Mr. JETT].

Mr. HULL. I want to say that if the gentleman from New York does not want to occupy the time, I will recall what I said and I will yield to the gentleman from Illinois [Mr. JETT].

The SPEAKER. The gentleman from Illinois is recognized for five minutes.

Mr. JETT. Mr. Speaker, I do not know as I want five minutes in relation to this matter. I can not bring myself up to the position that I believe at this time it is necessary that the number of cadets should be increased as is provided by the conference report.

What is the necessity for it? I remember that when the gentlemen representing the War Department were before the Committee on Military Affairs they said that by reason of the fact that we have now an Army of 100,000 it was necessary to have more cadets that we might have more officers.

But there is a general understanding on the part, I believe, of almost every member of this House—at least it has been so sug-

gested in the room of the Committee on Military Affairs—that at the next session of Congress there will be a reorganization of the Army, or, rather, Army legislation.

We all know that under the bill passed by Congress providing for the size of the Army, the Army as it exists to-day will necessarily be considerably curtailed on the 1st day of July, 1901. There will, perhaps, necessarily be some legislation on this subject at the next session of Congress.

Why should we undertake at this time to increase the number of cadets to the number provided for in this conference report when we know not what the size of the Regular Army of the United States will eventually be? Who at this time is in a position to say to this House that it will be necessary for us to have 100 additional cadets from whom we can select officers when we require them for the Army, before Congress shall have determined what the size of the Army shall be?

No man is in a position to say what action this body will take on this subject next December. It is understood, of course, that there will be some legislation; there will necessarily have to be, if a large number of troops are required in what we call our outlying possessions; and no one knows just how many will be necessary at that time.

I repeat, why should we undertake to provide now for additional officers when we know not how many we shall need and have no idea what the size of the Army will be? It seems to me, Mr. Speaker, we are anticipating a great deal when we undertake to say that it will be necessary to have more officers, and for that reason we must now commence increasing the number of cadets at West Point.

I, for one, am ready and willing at all times to vote for a sufficient number of cadets, whatever number may be necessary to supply the demands of our country and Army; but I am not willing at this time to anticipate legislation and place upon the statute book a law providing for additional cadets when we know not what is to be the number and size of the Army when we come to reorganize it or to pass a new Army bill.

I believe we should not agree to this conference report at this particular time, but that it should be sent back to conference. We should not undertake to force upon the country the great number of cadets asked for at this time.

Mr. HENRY of Mississippi. The gentleman will allow me to suggest that this is not so much a question of having more cadets as it is a question in regard to the power of the President to appoint more. I do not want to give the President any more power in this respect.

Mr. JETT. The law, as I understand, in regard to the power of members of Congress in the appointment of cadets, is the same now as it has been from time immemorial. At no time heretofore has any member had the right to appoint a cadet except through the courtesy of the President of the United States.

[Here the hammer fell.]

Mr. SULZER. I hope the gentleman from Iowa [Mr. HULL] will yield me about two minutes.

Mr. HULL. I yield the gentleman two minutes.

Mr. SULZER. Mr. Speaker, in regard to this matter, just a word. The House conferees have not unanimously agreed to this report. It seems, however, some of the gentlemen have agreed and conceded everything to the Senate. I am absolutely opposed to the provision of the bill in regard to the additional cadets. It was not asked for, I believe, by the War Department; it was not asked for, if I remember aright, by the authorities at West Point. It ought not to be in the bill, and it was not in the House bill. It has been put in there as a sort of sop to the Senators. We ought to insist on our original position and take it out. If we do not, we shall hear from the people.

Mr. Speaker, I desire to ask whether it will be possible under the rules to have a separate vote on that amendment?

The SPEAKER. A conference report must be voted on as a whole.

Mr. SULZER. Mr. Speaker, a parliamentary inquiry. If the House votes against concurring in this report, it goes to conference again, does it not?

The SPEAKER. If the conference report should be voted down, the matter will then be open to amendment.

Mr. SULZER. I hope, then, that the conference report will not be agreed to. It should be voted down. It ought to be disagreed to, and I hope it will be.

Mr. HULL. One word to correct a misapprehension. This report does not propose to change the law in regard to the manner of appointing cadets. It simply gives the President the power to appoint an additional number.

Mr. SMITH of Kentucky. I understood the chairman of the committee to say that Senators do not desire this privilege.

Mr. HULL. Some do not.

Mr. SMITH of Kentucky. Now, I wish to ask the gentleman whether the conference committee considered the proposition of

allowing the State delegations to appoint cadets from their States at large.

Mr. HULL. Oh, Mr. Speaker, the State delegation, or the Congressmen from the State, can not appoint anybody. They can only nominate. They can name the cadets, but the President appoints.

Mr. SMITH of Kentucky. Of course, I meant to nominate.

Mr. HULL. This legislation has been asked for by the War Department, by the Superintendent of the Academy, by all men who know anything of the organization of the Army and the importance of this branch of that organization.

Mr. SHAFROTH. Will the gentleman yield to me for a question?

Mr. HULL. Certainly.

Mr. SHAFROTH. Have you the language of the conference report providing where is to be lodged the appointing power of the 90 additional cadets?

Mr. HULL. I can state to the gentleman that the provision is that they shall be appointed two from each State.

Mr. SHAFROTH. Appointed by whom?

Mr. HULL. By the President, of course. Nobody else appoints, although the members may nominate.

Mr. SHAFROTH. Is there anything that indicates that they are to be appointed or selected on recommendation of the Senators?

Mr. HULL. No; but I assume that they will be nominated or will be recommended by somebody in the State, of course. That is a matter for the decision of the President when he makes the appointment. The same condition applies to your own district now. The only thing in your district is that it shall be a bona fide resident of the district who is nominated.

Mr. SHAFROTH. But I suppose the President will appoint at the suggestion of the Senators?

Mr. HULL. The appointments will be made just as they are at present, I assume.

Mr. SHAFROTH. But of course we do not know how the President will do it.

Mr. HULL. Of course not. You can not limit the appointing power of the President in that way.

Mr. MARSH. I would like to have, Mr. Speaker, the amendment relating to the cadets read again.

Mr. HULL. The Clerk has it at the desk.

The SPEAKER. The proposed amendment of the Senate will be read.

The Clerk read as follows:

Amendment No. 20:

"SEC. 4. That the corps of cadets shall consist of one from each Congressional district, one from each Territory, one from the District of Columbia, and fifty from the United States at large, not more than two of whom shall be appointed from the same State. They shall be appointed by the President, and shall be actual residents of the Congressional or Territorial districts, or of the District of Columbia, or of the States, respectively, from which they purport to be appointed.

Mr. HULL. I now yield to the gentleman from Illinois for ten minutes or such time as he may desire to occupy.

Mr. MARSH. Mr. Speaker, it has been the law always, since the organization of the Military Academy, that the President shall appoint the cadets, and that is the proposition in the pending amendment—no more, and no less.

And while that has been the law all of these years, it has been the custom invariably followed by all the Presidents to appoint those cadets in the different Congressional districts upon the recommendation of the members of Congress representing the same, or in the case of the Territories upon the recommendation of the Delegate from the Territory.

There is therefore nothing new in this amendment. While it increases the number of cadets in this school, there is nothing in the amendment which changes the existing power of appointment.

The amendment provides for the appointment of 90 cadets at large. That, under the custom of the country, as it has been pursued for all of these many years, means that they will be appointed by the President from wherever he chooses in the country without regard to the recommendation of members of Congress. The additional 90 cadets provided for in the amendment—which provide for 2 from each State—are to be appointed by the President just as the cadets have heretofore been appointed by the President.

Now, I assume—I do not know, but I assume—that these two additional cadets in each State so provided for will be appointed by the President upon the recommendation of the Senators from those States.

Mr. GAINES. That changes the recommendation or appointment from the Representatives to the Senators. Why make the change?

Mr. MARSH. Well, you add by the amendment two cadets to each State. That does not give an additional one, of course, to each Congressional District, and therefore the suggestion of the gentleman could not be carried out.

Now, I am simply saying what this does; and as I understand

the effect of the amendment, that is precisely what would be accomplished. The President can appoint 90 cadets from the States without anybody's recommendation, but that is not the purpose and intent of the amendment, as I understand it.

Mr. SHAFROTH. Why not put the intent in language?

Mr. MARSH. The intent is not in the language with reference to the appointment of cadets from the various Congressional districts.

Mr. SHAFROTH. It would not hurt if it was there, would it?

Mr. MARSH. It is not necessary to put in language.

Mr. BINGHAM. It never has been violated.

Mr. MARSH. It never has been violated by a President since West Point was established.

Mr. HENRY of Mississippi. Why do we need so many cadets? Are we drifting into a military channel, that we want to educate all our people in military affairs?

Mr. MARSH. The gentleman from Mississippi wants to know why we need these additional cadets. I will tell him why. We need them in order to supply the necessary officers for the Regular Army. We have not now and have not had for years a sufficient number of graduates from the West Point Academy to supply that want.

And I will say, moreover, to my friend from Mississippi that although the law now provides that the Regular Army shall on the 1st day of July, 1901, be reduced to about 27,000 men, it will necessarily have to be increased very considerably by law between now and then.

Mr. HENRY of Mississippi. How large do you want it?

Mr. MARSH. Oh, forty or fifty thousand.

Mr. HENRY of Mississippi. You want a hundred thousand.

Mr. MARSH. You are mistaken. I stood up here and fought for and accomplished a reduction of the Regular Army from one hundred thousand to fifty thousand.

Mr. HENRY of Mississippi. I do not apply that to you personally, but to the party. If you could get the National Guard in the way you want it, you would not ask an enlargement of the Regular Army.

Mr. MARSH. We have just passed a million-dollar appropriation for the National Guard.

Mr. HENRY of Mississippi. Has it passed the Senate?

Mr. MARSH. It passed there last night at half past 10 o'clock, and was sent to the President to-day.

Mr. HENRY of Mississippi. I am glad to hear it. I was with you on that proposition, and congratulate you. [Applause.]

Mr. MARSH. I know the gentleman is glad. Now, Mr. Speaker, as to the necessity of increasing the number of these cadets, it is because the Army needs them and will need them hereafter.

Mr. GAINES. If we are going to reduce the Army in 1901, what do you want of these extra officers?

Mr. MARSH. I do not yield further.

The SPEAKER. The gentleman declines to yield.

Mr. GAINES. I am very candid in my desire to have that question answered.

The SPEAKER. The gentleman from Tennessee is out of order. The gentleman from Illinois declines to yield.

Mr. MARSH. Mr. Speaker, we have a plant at West Point for the education of these young men. It has a capacity to accommodate about 100 more cadets than are now provided for by law.

It is a matter of economy that the institution should be filled to its entire capacity, because the increased number of one hundred will not add very greatly to the expense to the Government or to the necessary appropriations for carrying on the institution. It is the finest military school in the world. [Applause.] It has graduated the finest military officers in the world [applause]; and its output ought to be equal to its capacity.

And now, Mr. Speaker, having given some information to the gentlemen upon the other side, having relieved them of some of the fears under which they were trembling as to the danger of militarism and imperialism and all that sort of stuff, having assuaged their wounds and relieved them of their fears of militarism and all its consequences, I yield back the balance of my time. [Applause.]

Mr. HULL. I move the previous question.

Mr. BALL. I desire to ask the gentleman from Iowa a question.

The SPEAKER. The gentleman from Iowa moves the previous question.

The question being taken,

Mr. SULZER demanded a division.

The House divided; and there were—ayes 120, noes 64.

Accordingly the previous question was ordered.

The SPEAKER. The question is on agreeing to the conference report.

The question being taken,

Mr. SULZER demanded a division.

The House divided; and there were—ayes 118, noes 82.

Mr. SULZER. The yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 128, nays 93, answered “present” 14, not voting 117; as follows:

YEAS—128.

Acheson,	Davenport, S. A.	Ketcham,	Roberts,
Adams,	Davidson,	Lands,	Rodenberg,
Aldrich,	Dick,	Lane,	Ruppert,
Alexander,	Dolliver,	Lawrence,	Russell,
Babcock,	Eddy,	Levy,	Ryan, Pa.
Bailey, Kans.	Emerson,	Littauer,	Shattuc,
Baker,	Esch,	Littlefield,	Shelden,
Barney,	Fordney,	Long,	Sherman,
Bingham,	Foss,	Lorimer,	Showalter,
Boreing,	Fowler,	Lovering,	Sibley,
Boutell, Ill.	Freer,	Lybraud,	Smith, H. C.
Bowersock,	Gardner, N. J.	McCleary,	Spalding,
Brick,	Gibson,	Marsh,	Steele,
Brosius,	Gill,	Mercer,	Stevens, Minn.
Brown,	Gillet, Mass.	Miller,	Stewart, N. Y.
Brownlow,	Gordou,	Minor,	Stewart, Wis.
Burke, S. Dak.	Graham,	Mondell,	Sullivan,
Burleigh,	Greene, Mass.	Moody, Mass.	Tawney,
Burton,	Grosvenor,	Moody, Oreg.	Taylor, Ohio
Butler,	Grow,	Morgan,	Thomas, Iowa
Calderhead,	Hall,	Mudd,	Thropp,
Cannon,	Hamilton,	Needham,	Underhill,
Chanler,	Hestwole,	O’Grady,	Van Voorhis,
Clarke, N. H.	Hedge,	Olmsted,	Vreeland,
Clayton, N. Y.	Hemenway,	Otjen,	Warner,
Corliss,	Hepburn,	Parker, N. J.	Waters,
Cousins,	Hill,	Payne,	Watson,
Cromer,	Hoffecker,	Pearre,	Weaver,
Crump,	Hopkins,	Pugh,	Weymouth,
Curtis,	Howell,	Ray,	Wise,
Dahle, Wis.	Hull,	Reeder,	Wright,
Dalzell,	Kahn,	Reeves,	Young.

NAYS—93.

Bailey, Tex.	Denny,	Lloyd,	Sims,
Ball,	Driggs,	Loud,	Smith, Ky.
Barber,	Finley,	McRae,	Snodgrass,
Bartlett,	Fitzgerald, Mass.	Maddox,	Sparkman,
Bell,	Fitzgerald, N. Y.	Moon,	Stark,
Bellamy,	Glynn,	Neville,	Stephens, Tex.
Benton,	Griggs,	Noonan,	Stokes,
Bradley,	Hay,	Otey,	Sulzer,
Breazeale,	Henry, Miss.	Packer, Pa.	Sutherland,
Brewer,	Henry, Tex.	Pierce, Tenn.	Swanson,
Brundidge,	Jack,	Phillips,	Tate,
Burkett,	Johnston,	Ransdell,	Taylor, Ala.
Burleson,	Jones, Va.	Rhea, Ky.	Thomas, N. C.
Burnett,	Jones, Wash.	Rhea, Va.	Tongue,
Clark, Mo.	King,	Richardson,	Underwood,
Clayton, Ala.	Kitchin,	Ridgely,	Williams, J. R.
Cochran, Mo.	Klutz,	Riordan,	Williams, Miss.
Cummings,	Lacey,	Rixey,	Wilson, Idaho
Cushman,	Lamb,	Robinson, Nebr.	Wilson, N. Y.
Daly, N. J.	Lanham,	Ryan, N. Y.	Zenor,
Davis,	Lassiter,	Salmon,	Ziegler.
De Armond,	Latimer,	Shackford,	
De Graffenreid,	Lentz,	Shafrroth,	
De Vries,	Little,	Sheppard,	

ANSWERED “PRESENT”—14.

Bankhead,	Gaines,	McAleer,	Scudder,
Bromwell,	Haugen,	Metcalf,	Stallings.
Capron,	Henry, Conn.	Moyer, La.	
Dayton,	Jett,	Morris,	

NOT VOTING—117.

Adamson,	Davey,	Lester,	Robertson, La.
Allen, Ky.	Dinsmore,	Lewis,	Robinson, Ind.
Allen, Mo.	Dougherty,	Linney,	Rucker,
Allen, Miss.	Dovener,	Livingston,	Slayden,
Atwater,	Driscoll,	Loudenslager,	Small,
Barham,	Elliott,	McCall,	Smith, Ill.
Bartholdt,	Farns,	McClellan,	Smith, Samuel W.
Berry,	Fitzpatrick,	McCulloch,	Smith, Wm. Alden
Bishop,	Fleming,	McDowell,	Southard,
Bottelle, Me.	Fletcher,	McLain,	Sperry,
Brantley,	Foster,	McPherson,	Spieth,
Brenner,	Fox,	Mahon,	Sprague,
Broussard,	Gamble,	Mann,	Stewart, N. J.
Bull,	Gardner, Mich.	May,	Talbert,
Burke, Tex.	Gaston,	McKisson,	Terry,
Caldwell,	Gavie,	Mesick,	Thayer,
Campbell,	Gilbert,	Miers, Ind.	Tompkins,
Carmack,	Gillet, N. Y.	Muller,	Turner,
Catchings,	Graff,	Naphen,	Vandiver,
Cochrane, N. Y.	Green, Pa.	Newlands,	Wachter,
Connell,	Griffith,	Norton, Ohio	Wadsworth,
Cooney,	Grout,	Norton, S. C.	Wanger,
Cooper, Tex.	Hawley,	Overstreet,	Weeks,
Cooper, Wis.	Hitt,	Pearce, Mo.	Wheeler, Ky.
Cowherd,	Howard,	Pearson,	White,
Cox,	Jenkins,	Polk,	Williams, W. E.
Crowley,	Joy,	Powers,	Wilson, S. C.
Crumpacker,	Kerr,	Prince,	
Cusack,	Kleberg,	Quaries,	
Davenport, S. W.	Knox,	Robb,	

So the report of the committee of conference was agreed to. The following additional pairs were announced:

Until further notice:

Mr. WM. ALDEN SMITH with Mr. WILSON of South Carolina.

Mr. BOUTELL of Illinois with Mr. GRIGGS.

Mr. CRUMPACKER with Mr. ELLIOTT.

Mr. WACHTER with Mr. RHEA of Virginia.

For this day:

Mr. KERR with Mr. BRANTLEY.

Mr. BARTHOLDT with Mr. RUCKER.

Mr. GROUT with Mr. CROWLEY.

Mr. HENRY of Connecticut with Mr. ALLEN of Kentucky.

Mr. JOY with Mr. DINSMORE.

Mr. MESICK with Mr. LEWIS.

Mr. FLETCHER with Mr. BRENNER.

On this vote:

Mr. BOREING with Mr. KLEBERG.

Mr. HAUGEN with Mr. BROUARD.

Mr. HITT with Mr. LIVINGSTON.

Mr. DAYTON. Mr. Speaker, I have a general pair with the gentleman from Louisiana, Mr. MEYER. I find that he answered “present;” therefore I desire to withdraw my vote and answer “present.”

The name of Mr. DAYTON was called; and he answered “present.”

Mr. STOKES. Mr. Speaker, I voted under a misapprehension. I desire to change my vote.

The name of Mr. STOKES was called; and he voted “nay.”

Mr. METCALF. Mr. Speaker, I desire to be recorded as “present.”

Mr. LANHAM. Mr. Speaker, I desire to say that my colleague, Mr. KLEBERG, is absent on account of sickness in his family.

The result of the vote was then announced as above recorded.

On motion of Mr. HULL, a motion to reconsider the vote by which the conference report was agreed to was laid on the table.

USE OF TIMBER AND STONE IN THE INDIAN TERRITORY.

The SPEAKER laid before the House the bill (H. R. 10465) to provide for the use of timber and stone for domestic and industrial purposes in the Indian Territory with Senate amendments, which were read.

Mr. LENTZ. Mr. Speaker, I would like to know what we are doing.

Mr. CURTIS. I move that the House concur in the Senate amendments.

The SPEAKER. The gentleman from Kansas moves that the House concur in the amendments of the Senate.

The question was taken; and the motion was agreed to.

MARGARET N. BADGER.

The SPEAKER also laid before the House the bill (H. R. 4554) granting an increase of pension to Margaret M. Badger, with Senate amendments, which were read.

Mr. BROMWELL. Mr. Speaker, I move that the House non-concur in the Senate amendments and ask for a conference.

The motion was agreed to.

The SPEAKER. The Chair announces the following conferees: Mr. LOUDENSLAGER, Mr. BROMWELL, and Mr. STANLEY W. DAVENPORT.

NAVAL APPROPRIATION BILL.

Mr. FOSS. Mr. Speaker, I desire to submit a conference report.

The SPEAKER. The gentleman from Illinois, chairman of the Committee on Naval Affairs, submits the following report of the committee of conference.

Mr. FOSS. I call for the reading of the statement.

The SPEAKER. Without objection, the statement will be read and the report omitted.

There was no objection.

The statement was read, as follows:

The managers on the part of the House of the conference of the disagreeing votes of the two Houses on the amendments of the Senate to the bill H. R. 10450, making appropriations for the naval service for the fiscal year ending June 30, 1901, and for other purposes, submit the following written statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report, namely:

On the matters of difference in the disagreeing votes of the two Houses on amendments 9, 50, 51, 52, 53, and 55: After a full and free conference, the conferees have been unable to agree. House amendment to Senate amendment 9, relating to ocean and lake surveys; Senate amendment 50, 51, 52, and 53, the matter of commissioning the naval cadets at the Naval Academy, and House amendment to Senate amendment 55, that of armor plate, the House amendment to the Senate amendment being as follows:

“That the Secretary of the Navy is hereby authorized to procure by contract armor of the best quality for any or all vessels above referred to, provided such contracts can be made at a price which in his judgment is reasonable and equitable; but in case he is unable to make contracts for armor under the above conditions, he is hereby authorized, in his discretion, to procure a site for and to erect thereon a factory for the manufacture of armor, and the sum of \$4,000,000 is hereby appropriated toward the erection of said factory.”

GEORGE EDMUND FOSS,

ALSTON G. DAYTON,

AMOS J. CUMMINGS,

Managers on the part of the House.

Mr. FOSS. Mr. Speaker, I desire to state for the information of the House that there are still three matters of disagreement between the two Houses. One is the ocean surveys, upon which the House conferees are instructed by the House not to concur in the Senate amendment nor to concur or agree to any compromise

between the two Houses, but to insist rigidly upon the House proposition, which the conferees have done.

The second matter of disagreement is with reference to commissioning the naval cadets at the Naval Academy, and the third is the armor-plate proposition.

I think that if the House will stand by the motion which I shall make in a few moments and send this immediately back to the Senate, where they are desirous of further discussion upon it, the situation will be clarified so that we may hope at least to arrive at an agreement.

Mr. GAINES. What is it they want to discuss?

Mr. FOSS. They wish to discuss the three matters of disagreement. Now, I move that the House insist upon its disagreement to the Senate amendments 50, 51, 52, and 53, and also that the House insist upon its own amendment to the Senate amendments 9 and 58 and ask for a further conference.

Mr. SHAFROTH. Does this include the House standing by the ocean survey?

Mr. FOSS. That includes the House standing by the ocean survey.

The SPEAKER. The gentleman from Illinois moves that the House further insist upon its disagreement to the amendments 50, 51, 52, and 53, and further insist upon its amendment to the Senate amendments 9 and 58.

Mr. RIXEY. Mr. Speaker, I desire to submit a motion that the House recede from its amendment to the armor-plate question and concur in the Senate amendment. Speaking for myself, I believe it would be better for us to take a vote upon each one of these points of disagreement between the two Houses.

As to the term for the naval cadets, I think the difference between the House and the Senate is of very little consequence; it can be settled either way. As I understand it, an appointment will come around once in every four years in either event, and the only question is about the time of the commissioning of the cadet.

On the question of the surveys, I think the House here ought to have a vote on the question, so that the conferees may know whether to adhere to their former position.

On the armor-plate question, I think it is time the two Houses agreed. We ought to have some little time given us for debate, in order that we may ascertain how we stand.

Mr. FOSS. I will state to my colleague from Virginia that we have had a thorough and exhaustive discussion upon the armor-plate question. We have had two decisive votes upon it. In the first place it was carried by a majority of 18, and to-day by a majority of 55.

I do not see any necessity for further discussion at this late hour, when the Senate is waiting for us to finish business in order that they can discuss it. The time is for action and not for words. [Applause.] Mr. Speaker, I move the previous question.

The SPEAKER. The gentleman demands the previous question, but the motion of the gentleman from Virginia must be respected. The Chair will submit the question of ordering the previous question, if insisted upon, as to the amendments in bulk, except amendment 58, upon which a separate vote is demanded.

The question was taken; and the previous question was ordered.

The SPEAKER. The question now is on the motion of the gentleman from Illinois that the House insist on its disagreement to the Senate amendments 50, 51, 52, and 53, and also that the House insist upon its own amendment to the Senate amendment 9.

The question was taken; and the motion was agreed to.

The SPEAKER. The question now is on the motion of the gentleman from Virginia, which is to recede and concur in the Senate amendment 58.

The question was taken; and on a division (demanded by Mr. RIXEY) there were 45 ayes and 96 noes.

So the motion was not agreed to.

Mr. FOSS. Mr. Speaker, I now move that the House insist upon its own amendment to Senate amendment 58.

The motion was agreed to.

The SPEAKER announced as conferees on the part of the House Mr. Foss, Mr. DAYTON, and Mr. CUMMINGS.

SAMUEL S. WHITE.

The bill (S. 351) granting an increase of pension to Samuel S. White was laid before the House with an amendment of the Senate, striking out "thirty" and inserting "twelve."

Mr. BROMWELL. I move to nonconcur in the Senate amendment and ask a conference.

The motion was agreed to.

The SPEAKER announced the appointment of Mr. LOUDENSLAGER, Mr. BROMWELL, and Mr. STANLEY W. DAVENPORT as conferees on the part of the House.

OSAGE TRUST LANDS, ETC.

The bill (H. R. 10152) to provide for the sale of isolated and disconnected tracts or parcels of the Osage trust and diminished reserve lands in the State of Kansas was laid before the House,

with an amendment by the Senate, striking out, in line 4, page 1, the word "auction" and inserting "sale."

Mr. LACEY. I move that the House concur in the amendment of the Senate.

The motion was agreed to.

PENSION BILLS PASSED.

The following-named pension bills were respectively laid before the House with amendments of the Senate; and, on motion of Mr. SULLOWAY, the amendments were concurred in.

A bill (H. R. 8475) granting an increase of pension to Alice de Vecchi;

A bill (H. R. 602) granting an increase of pension to Charles H. Adams; and

A bill (H. R. 5804) granting a pension to Byron F. Davis.

TERRITORIAL INDEBTEDNESS.

The SPEAKER. The Chair lays before the House a Senate bill which does not carry an appropriation, and which is exactly similar to a House bill favorably reported. The Clerk will read the bill.

The Clerk read as follows:

A bill (S. 4075) to amend an act to prohibit the passage of special or local laws in the Territories, to limit the Territorial indebtedness, and so forth.

Be it enacted, etc., That the act of Congress approved July 30, 1886, entitled "An act to prohibit the passage of local or special laws of the Territories of the United States, to limit Territorial indebtedness, and for other purposes," is hereby amended so as to permit, authorize, and legalize the issuance of bonds by chartered municipal corporations having a bona fide population of not less than 10,000 persons in any Territory of the United States, for erecting a city building and purchasing the ground for the same.

The limitations of said act of July 30, 1886, shall not apply to such municipal corporations: *Provided*, That before any bonds shall be issued the mayor and common council of such municipal corporation shall cause an election to be held in such city or town, and the mayor and common council of such municipal corporation shall cause to be published in a newspaper of general circulation in said city or town a notice of the time and place or places of holding such election.

Such notice shall be given not more than sixty nor less than thirty days before such election. On the question of the issuance of said bonds no person shall be qualified to vote except he be in all respects a qualified elector and owner of real or personal property subject to taxation within the municipality. In case two-thirds of the qualified voters, as above described, shall vote affirmatively for the issuance of said bonds, then the mayor and common council shall issue the same, and not otherwise.

Said bonds shall contain all necessary provisions as to form, and such municipality shall provide a proper sinking fund for the redemption of said bonds. Said bonds shall not bear a rate of interest exceeding 5 per cent, and the interest shall be paid semiannually, and none of said bonds shall be sold at less than their par value: *Provided further*, That no city under this act shall issue bonds in excess of \$50,000.

Mr. FINLEY. Is this a request for unanimous consent?

The SPEAKER. Not at all. The bill comes up as the regular order.

Mr. FINLEY. I should be glad to hear some explanation of the bill.

Mr. FLYNN. A bill identical with this has been unanimously reported by the Committee on Territories. It authorizes cities or towns in the Territories having over 10,000 population to issue bonds not to exceed \$30,000 in any one case for the purpose of erecting city buildings. It prescribes qualifications for electors. They must be taxpayers; and after legal notice has been given, two-thirds of the qualified electors must vote on the proposition. The bonds are to bring 5 per cent interest and not be sold at less than par.

Mr. FINLEY. As I understand, this is a Senate bill.

Mr. FLYNN. But a committee of this House has favorably reported a bill identical in its provisions.

Mr. FINLEY. My recollection is that a bill similar to this was before the Committee on Territories.

Mr. FLYNN. Yes, sir.

Mr. FINLEY. And the bill applies, I believe, to all cities and towns in the Territories?

Mr. FLYNN. All cities and towns having over 10,000 people.

Mr. FINLEY. When was this bill considered by the committee—in January?

Mr. FLYNN. No; the report was made by our committee in April.

The bill was ordered to a third reading, and read the third time.

The SPEAKER. The question is on the passage of the bill.

Mr. LENTZ. I object.

The SPEAKER. To what does the gentleman object?

Mr. LENTZ. I object to this business going on. I do not know what it is. I can not find out.

The SPEAKER. That is not the fault of the Chair or the House. The bill was regularly laid before the House and read.

Mr. LENTZ. I ask to know what it is we are doing.

The SPEAKER. The bill has been read and explained and discussed.

Mr. LENTZ. I could not hear it.

The SPEAKER. The question is on the passage of the bill.

The bill was passed.

The SPEAKER. Without objection, a House bill of similar purport to the Senate bill just passed will be laid on the table.

There was no objection.

Mr. SHATTUC. I move to reconsider the vote by which the Senate bill was passed, and also move that the motion to reconsider be laid on the table.

The latter motion was agreed to.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted to Mr. CAMPBELL for the remainder of the session, on account of important business.

WITHDRAWAL OF A REPORT.

The SPEAKER laid before the House a request of the Committee on Invalid Pensions to withdraw their report on House bill 9165 (on the Private Calendar) for the purpose of submitting a further report.

There was no objection, and leave was granted.

WITHDRAWAL OF PAPERS.

Mr. SMITH of Kentucky, by unanimous consent, obtained leave to withdraw from the files of the House, without leaving copies, papers in the case of Z. C. Andrews, Fifty-sixth Congress, there having been no adverse report.

CATALOGUING OF BOOKS, DOCUMENTS, ETC.

Mr. HENRY C. SMITH. Mr. Speaker, I submit a privileged report, which I send to the desk. The Committee on Accounts recommend the adoption of the resolution with an amendment.

The SPEAKER. The Clerk will read the resolution and the amendment proposed.

The Clerk read as follows:

Resolved, That the Select Committee on the Examination and Disposition of Documents be, and it is hereby, authorized to employ such labor and clerical assistance as may be necessary for the moving, cleaning, and cataloguing of the books, documents, and pamphlets in the House and Clerk's document rooms; the expense thereof not to exceed \$8,000, to be paid out of the contingent fund of the House upon vouchers to be first approved by the Committee on Accounts.

The committee recommend the adoption of the following amendment:

Strike out "\$8,000" and insert "\$3,500."

Mr. LOUD. Before action is taken on this resolution, Mr. Speaker, I would like to ask a question or two of the gentleman in charge of it. I would ask him, in the first place, if this is not the resolution brought up here some time ago, or a resolution following one which had reference to the old books scattered around the Capitol?

Mr. HENRY C. SMITH. Yes, sir. There was a resolution introduced on the 2d day of March, by the gentleman from Massachusetts [Mr. ROBERTS], and the Committee on Rules, by Mr. DALZELL, agreed that the committee to which the resolution referred should be appointed. That committee of three was appointed, consisting of Mr. ROBERTS, Mr. HEATWOLE, and Mr. DRIGGS.

They investigated the matter and made report to the Committee on Accounts, in which they say that something like 250,000 volumes of books are in the subcellar of the Capitol; that they are perishing with neglect, steam pipes around them, wet, moldering, and corded up in all sorts of conditions.

Now the proposition is to have them catalogued, and \$3,500 is appropriated for that purpose; and to separate the good ones from those that are worthless, and save them, and those that are valueless to be disposed of in such manner as the committee may determine, either for old paper or something of that kind, and the space in the old Library may then be used for committee rooms or for other purposes.

I wish to say to the members of the House that I went to this place with one of the members of the committee a short time ago, and no one can deny the necessity of this work after he has made a personal investigation of the premises. If these books are of any value, certainly they should be used; and many of them are of great value, but they are not catalogued, and are useless in their present condition.

Now, if nobody desires to discuss the matter—

Mr. LOUD. I would ask the gentleman to yield to me three or four minutes.

Mr. HENRY C. SMITH. Certainly. How much time does the gentleman desire?

Mr. LOUD. Only a very few minutes.

Mr. HENRY C. SMITH. I will yield to the gentleman with pleasure, but a word first.

There is another reason why these books should be taken out. They are in an exposed condition, and fire is liable to follow because of the proximity of the steam pipes, electric wire, and hot-water pipes surrounding them, and they represent an element of danger to the building.

It is estimated that there are over 250,000 volumes bound in calf. Many of these that we inspected will be of great value. Many others are bound in morocco, mainly those books relating to diseases of the horse, which we all desire for our constituents.

I now yield to the gentleman from California.

Mr. LOUD. Mr. Speaker, I desire to call the attention of the House to a prophecy I made when this matter was before us on a former occasion. If I remember correctly, the gentleman from Minnesota [Mr. HEATWOLE] had charge of the resolution when it was then being considered by the House, and I asked the gentleman what the necessity was for the work. He said it was necessary to take an inventory of these books for the reasons stated by the gentleman from Michigan.

I suggested that it would be followed by some legislation providing for the employment of somebody to do this work. If I remember correctly, the reply made to me then was, "Oh, no; the regular employees of the House will take the inventory."

Now, this is the second or third time since I have been a member of Congress that this inventory has been taken. The gentleman knows, and the Committee on Accounts well know, that there is quite a respectable army of employees—respectable in numbers, I mean—here who do not perform a single stroke of work from the time the House adjourns until it meets again, and when the House adjourns the House provides help to do the work for which these men draw salaries.

But my only object was to call the attention of the House to the prophecy I made when the resolution was before the House. The result has come sooner than I had anticipated. That is all.

Mr. HOPKINS. Before the gentleman takes his seat, I would like to ask him, in view of this prophecy, what he would suggest by way of a remedy for the condition of things as they now exist?

Mr. LOUD. Oh, the gentleman well knows that I am powerless in the matter.

Mr. HOPKINS. Not by any means. The gentleman is quite a powerful man.

Mr. LOUD. I only wished to call the attention of the House to the fact that in the performance of the duty which this resolution demands we were assured that no additional help would be required and no assistance provided from outside to do the work, and that assurance evidently had, or perhaps had, something to do with the adoption of the resolution.

Mr. HENRY C. SMITH. I yield to the gentleman from Massachusetts [Mr. ROBERTS].

Mr. ROBERTS. Mr. Speaker, I introduced the resolution which called for the appointing of the select committee to examine into the condition of the documents situated in various parts of this end of the Capitol, and to report what disposition should be made of them. When that matter was reported from the Committee on Rules, I do not recall any conversation or any remarks by any gentleman which would indicate that there would be an appropriation to follow.

I will say that when that resolution was introduced I had not the faintest conception of the condition of affairs. I want just for a moment to call the attention of the House to one or two things. Every member of this House knows that there is provided for him one stitched-back copy of every publication issued by the Government. These stitched-back copies are at present kept in six vaults in the south terrace. These vaults are lighted only in the roof.

Every time there is a rain the water comes through upon these books, and here is a sample of what happens to them. [Exhibiting a book.] This book is *Test of Métaux*. Here is another. This is one of the ethnology reports, a beautiful, valuable book, as you all know. That is what happens to these books in that situation. They have to be covered with rubber cloths to keep them from being entirely destroyed.

Mr. LOUD. The gentleman knows that three or four dollars will have to be spent upon that book in the way of binding before it will be of any use.

Mr. ROBERTS. I merely desire to show these books in order that the members may know what is happening to them. Whenever any of these books are ruined, it takes off just so many from the binding list of members of the House.

It is the intention of this select committee, if they can have enough money to catalogue these books, to do so. It is necessary to have a catalogue in order to report such a disposition of them that the surplus copies will be at the disposal of members of Congress.

The space will be cleared out, which will enable the employees in the House document room to move these stitched-back documents from the vaults into places where they will not be ruined by the water. Now, there are probably 50,000 copies of these stitched-back books at present down in those vaults. The water not only comes in when it rains, but for several days after a rain it is dripping. The walls are always damp. It is not a fit place to keep any documents of the Government.

But that is a small part of it. In rooms in the cellar under the south basement, one room nearly as long as the extreme length of this Chamber, with apartments leading off in every direction, are books like this, almost without exception calf-bound and sheep-bound books.

The gentleman from Michigan [Mr. HENRY C. SMITH] spoke of

the danger of fire. There is one of the books that has been in contact either with a live electric-light wire or with a hot steam pipe. The cover is burned. Here is another. These are taken up at random. There is still another.

This shows what is happening to these books. As nearly as the committee can estimate, there are not less than 225,000 copies of books bound like that, situated not only in these rooms down below, but in rooms up under the eaves back of Statuary Hall. Now, it seems to the members of the committee that this work having been undertaken, and having been brought to a standstill by reason of the utter impossibility of a committee of this House personally making this catalogue, that something ought to be done to get rid of these books.

It is the idea of the committee to pick out two or three complete sets of these books. And I will say that they run clear back to the Twelfth session of Congress, bills and annals—annals from the First session.

It is the idea of the committee to have two or three complete sets selected, and then to distribute the balance. In various places there are duplicate sets of the reports and documents of all the Congresses running back to the Nineteenth. They are taking up valuable space that can be utilized for committee rooms. They are taking up room that can be used to advantage by the employees of the House document room.

The SPEAKER. The time of the gentleman has expired.

Mr. RIDGELY. Will the gentleman permit a question? How much money does this report contemplate expending?

Mr. ROBERTS. Thirty-five hundred dollars.

Mr. RIDGELY. Do you not think there are already employees on the pay roll that can do the work without our expending the \$3,500?

Mr. HENRY C. SMITH. The Clerk of the House advises us that there are not.

The committee amendments were agreed to.

The resolution as amended was agreed to.

On motion of Mr. HENRY C. SMITH, a motion to reconsider the last vote was laid on the table.

EXTENSION OF THE METROPOLITAN RAILROAD.

Mr. PEARRE. Mr. Speaker, I present a conference report, and ask for the reading of the statement.

The SPEAKER. Without objection, the statement will be read and the report will be omitted.

There was no objection.

The Clerk read as follows:

Statement as to the Metropolitan Railway extensions. H. R. 8065.

The bill as passed by the House provided for the extension of the Metropolitan Railroad and provided for the condemnation of land under a law that had been declared to be unconstitutional since the passage of the bill in the House. The Senate amended the bill so as to provide a different and, it is believed, a constitutional method of condemnation. As it passed the House the expenses of widening Columbia road and old Sixteenth street were to be divided equally between the railroad and the property owners. The conference report provides that the expenses shall be shared one-half by the property owners and the remainder by the railroad and the District.

The SPEAKER. The question is on agreeing to the conference report.

The question was taken; and the motion was agreed to.

ORDER OF BUSINESS.

Mr. PAYNE. Mr. Speaker, I move that the House now take a recess until 8 o'clock to-morrow morning.

Mr. HOPKINS. Mr. Speaker, I ask that the motion be amended by making it 9 o'clock.

Mr. PAYNE. I hope the gentleman will not move that amendment.

Mr. HOPKINS. I rise for the purpose of moving the amendment. I move to make it 9 instead of 8.

Mr. PAYNE. I do not yield to the gentleman for that motion. The reason we make it 8 o'clock instead of 9 o'clock is because the enrolling clerk said they could not possibly do the work unless we get to work at 8 o'clock; and I will state further it was after a full conference that the hour of 8 was set.

Mr. HOPKINS. There will not be anybody here at 8 o'clock.

The SPEAKER. Does the gentleman from Illinois insist upon his amendment?

Mr. HOPKINS. I insist upon it, because no members will be here.

The question was taken on the amendment of Mr. HOPKINS; and the Speaker announced that the noes appeared to have it.

Mr. HOPKINS. Division!

The House divided; and there were—ayes 46, noes 72.

Mr. LENTZ. Mr. Speaker, no quorum!

The SPEAKER. Before announcing the result of the vote, the House will receive a message from the Senate.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PLATT, one of its clerks, announced that the Senate had passed a bill of the following title; in which the concurrence of the House was requested:

S. 328. An act for the relief of Richard King.

The message also announced that the Senate had passed without amendment bills of the following titles:

H. R. 10618. An act granting an increase of pension to Martin O'Connor;

H. R. 10080. An act granting an increase of pension to Winefred M. Goins;

H. R. 9827. An act to close all alleys in block 8 of the Walbridge subdivision of Ingleside, in the county of Washington;

H. R. 9788. An act granting an increase of pension to Benjamin F. Dennis;

H. R. 8925. An act to authorize the title of an officer of the retired list of the Army as adjutant-general of the District of Columbia militia;

H. R. 7179. An act granting a pension to Clarence S. Hall;

H. R. 5508. An act granting an increase of pension to Jennie C. Taylor;

H. R. 4468. An act to authorize the city of Tucson, Ariz., to issue bonds for waterworks, and for other purposes;

H. R. 1409. An act for the relief of Robert A. Ragan; and

H. Res. 268. Joint resolution to pay the officers and employees of the Senate and House of Representatives their respective salaries for the month of June on the day following adjournment.

The message also announced that the Senate had agreed to the report of the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 11538) making appropriations for the support of the Military Academy for the fiscal year ending June 30, 1901, and for other purposes.

The message also announced that the Senate had agreed to reports of the committees of conference on the disagreeing votes of the two Houses on the amendments of the Senate to bills of the following titles:

H. R. 11646. An act making provision for emergencies in river and harbor works, for certain surveys, and for the diversion of certain appropriations or modification of provisions heretofore made; and

H. R. 11719. An act amending section 5270 of the Revised Statutes of the United States.

The message also announced that the Senate had agreed to the reports of the committees of conference on the disagreeing votes of the two Houses on the bill (S. 2381) to incorporate the National White Cross of America, and for other purposes.

ORDER OF BUSINESS.

Mr. LENTZ. Mr. Speaker—

The SPEAKER. For what purpose does the gentleman rise?

Mr. LENTZ. I make the point that no quorum was present on that vote.

Mr. BROSIUS. The point comes too late.

The SPEAKER. The Chair thinks not.

Mr. LENTZ. Make it 9 o'clock and I will withdraw it; but if you do not I will insist.

The SPEAKER. The Doorkeeper will close the doors and bring in absent members. The question is on the amendment of the gentleman from Illinois that the hour be made 9 o'clock. The roll will be called, and members will vote as their names are called or be marked "present." The Clerk will call the roll.

The question was taken; and there were—yeas 42, nays 98, answered "present" 39, not voting 174; as follows:

YEAS—42.

Baker,	Glynn,	Mudd,	Sims,
Ball,	Gordon,	Neville,	Snodgrass,
Barber,	Graham,	Noonan,	Stark,
Clark, Mo.	Hall,	Packer, Pa.	Sulzer,
Cochran, Mo.	Hawley,	Polk,	Sutherland,
Cromer,	Hopkins,	Richardson,	Thomas, N. C.
Dable, Wis.	Kitchin,	Ridgely,	Underhill,
De Graffenreid,	Lents,	Rordan,	Williams, Miss.
Denny,	Little,	Robinson, Nebr.	Zenor.
Finley,	Lorimer,	Ryan, N. Y.	
Fitzgerald, N. Y.	McCleany,	Shafroth,	

NAYS—98.

Acheson,	Driscoll,	Linney,	Ruppert,
Allen, Miss.	Eddy,	Littlefield,	Russell,
Boring,	Emerson,	Lloyd,	Salmon,
Boutell, Ill.	Esch,	Long,	Shattuc,
Brosius,	Fordney,	Lond,	Sheilden,
Brown,	Gibson,	Maddox,	Sheppard,
Burkett,	Gill,	Marsh,	Showalter,
Burleigh,	Greene, Mass.	Mercer,	Smith, H. C.
Burleson,	Griggs,	Minor,	Spalding,
Burton,	Grosvener,	Mondell,	Steele,
Butler,	Grow,	Moody, Oreg.	Stephens, Tex.
Cannon,	Hamilton,	Moon,	Stewart, N. Y.
Chanler,	Hangen,	Needham,	Tate,
Clayton, N. Y.	Hay,	O'Grady,	Tawney,
Corliss,	Heatwole,	Olmsted,	Taylor, Ohio
Cousins,	Hedge,	Otjen,	Underwood,
Crump,	Hemenway,	Parker, N. J.	Vreeland,
Curtis,	Henry, Miss.	Payne,	Waters,
Cushman,	Hepburn,	Pearre,	Weaver,
Daly, N. J.	Hill,	Ray,	Williams, J. R.
Dalzell,	Hoffecker,	Reeder,	Wilson, N. Y.
Davenport, S. W.	Jack,	Reeves,	Wise,
Davidson,	Jones, Wash.	Rhea, Va.	The Speaker.
De Vries,	Lacey,	Roberts,	
Dick,	Lane,	Rodenberg,	

ANSWERED "PRESENT"—30

Bailey, Kana.	Freer,	McAlear,	Sparkman,
Bartley,	Gaines,	Metcalf,	Stokes,
Bartlett,	Gardner, N. J.	Meyer, La.	Sullivan,
Bowersock,	Jett,	Miller,	Wachter,
Brick,	Lamb,	Morris,	Warner,
Calderhead,	Landis,	Norton, S. C.	Weymouth,
Capron,	Lanham,	Ryan, Pa.	Wright,
Connell,	Levy,	Shackelford,	Young,
Cummings,	Littauer,	Sherman,	Ziegler.
Dayton,	Lybrand,	Southard,	

NOT VOTING—174

Adams,	Crowley,	Kerr,	Rhea, Ky.
Adamson,	Crumpacker,	Ketcham,	Rixey,
Aldrich,	Cusack,	King,	Robb,
Alexander,	Davenport, S. A.	Kleberg,	Robertson, La.
Allen, Ky.	Davey,	Kluttz,	Robinson, Ind.
Allen, Me.	De Armond,	Knox,	Rucker,
Atwater,	Dinsmore,	Lassiter,	Scudder,
Babcock,	Dolliver,	Latimer,	Sibley,
Bailey, Tex.	Dougherty,	Lawrence,	Slayden,
Bankhead,	Dovener,	Lester,	Small,
Barham,	Duggins,	Lewis,	Smith, Ill.
Bartholdt,	Elliott,	Livingston,	Smith, Ky.
Bell,	Faris,	Loudenslager,	Smith, Samuel W.
Bellamy,	Fitzgerald, Mass.	Lovering,	Smith, Wm. Alden
Benton,	Fitzpatrick,	McCall,	Sperry,
Berry,	Fleming,	McClellan,	Spieth,
Bingham,	Fletcher,	McCulloch,	Sprague,
Bishop,	Foss,	McDowell,	Stallings,
Boutelle, Ma.	Foster,	McLain,	Stevens, Minn.
Bradley,	Fowler,	McPherson,	Stewart, N. J.
Brantley,	Fox,	McRae,	Stewart, Wia.
Breazeale,	Gamble,	Mahon,	Swanson,
Brenner,	Gardner, Mich.	Mann,	Talbert,
Brewer,	Gaston,	May,	Taylor, Ala.
Bromwell,	Gayle,	Meekison,	Terry,
Broussard,	Gilbert,	Mesick,	Thayer,
Brownlow,	Gillet, N. Y.	Miers, Ind.	Thomas, Iowa
Brundidge,	Gillett, Mass.	Moody, Mass.	Thropp,
Bull,	Graff,	Morgan,	Tompkins,
Burke, S. Dak.	Green, Pa.	Muller,	Tongue,
Burke, Tex.	Griffith,	Naphen,	Turner,
Burnett,	Grout,	Newlands,	Vandiver,
Caldwell,	Henry, Conn.	Norton, Ohio	Van Voorhis,
Campbell,	Henry, Tex.	Otay,	Wadsworth,
Carmack,	Hitt,	Overstreet,	Wanger,
Catchings,	Howard,	Pearce, Mo.	Watson,
Clarke, N. H.	Howell,	Pearson,	Weeks,
Clayton, Ala.	Hull,	Pierce, Tenn.	Wheelor, Ky.
Cochrane, N. Y.	Jenkins,	Phillips,	White,
Cooney,	Johnston,	Powers,	Williams, W. E.
Cooper, Tex.	Jones Va.	Prince,	Wilson, Idaho
Cooper, Wia.	Joy,	Pugh,	Wilson, S. C.
Cowherd,	Kahn,	Quarles,	
Cox,		Ransdell,	

Mr. LENTZ. Mr. Speaker, is a motion to adjourn in order? The SPEAKER pro tempore (Mr. MERCER). A motion to adjourn is in order; but it must be seconded by a majority of the members present rising in their places.

The question on seconding the motion to adjourn was taken.

The SPEAKER pro tempore. Fifteen gentlemen rising in the affirmative and 85 in the negative, the motion fails to be seconded.

Mr. LENTZ. Mr. Speaker, I ask why it is not in order at this time to ask unanimous consent for the printing of the testimony of the Cœur d'Alene matter?

The SPEAKER pro tempore. No business can be transacted until quorum is present, a member having raised the point of no quorum.

Mr. LENTZ. I did it on the motion of the gentleman from Illinois [Mr. HOPKINS]. He got me into this. [Laughter.] Mr. Speaker, a gentleman near by says I can withdraw the point of no quorum.

The SPEAKER pro tempore. It is too late, the Chair will inform the gentleman.

Mr. UNDERWOOD. Mr. Speaker, have the absentees been sent for?

The SPEAKER pro tempore. They have.

Mr. SHERMAN. Mr. Speaker, should not the Sergeant-at-Arms be directed to bring in the members who are in his custody?

Mr. LENTZ. I object.

Mr. SHERMAN. I have a right to ask this question. The gentleman's bull-headed objection does not shut out everything. Mr. Speaker, I think it is an entirely proper question. These gentlemen have been brought here by the Sergeant-at-Arms under an order issued by the House. It is their duty to present some excuse for not being here. Even the objection of the gentleman from Ohio does not relieve them from that responsibility.

The SPEAKER pro tempore. The Chair will say to the gentleman from New York that the absentees have been sent for, and we expect within ten or fifteen minutes to have a quorum.

Mr. SHERMAN. That does not answer my question. The members who are now appearing at the bar of the House were brought here under arrest by the Sergeant-at-Arms; and under the rules they must give some reason for their absence.

The SPEAKER pro tempore. In reply to the inquiry of the gentleman from New York, the Chair will state that that order is not required under the rule in pursuance of which we are acting.

Mr. WACHTER. I will say to the gentleman that I was not brought here by the Sergeant-at-Arms. I came voluntarily.

Mr. PAYNE. I suggest that as the gentleman from Maryland [Mr. WACHTER] has presented his excuse to the House, it would be in order for my colleague [Mr. SHERMAN] to move to excuse him.

Mr. SHERMAN. It would be in order; but it is not incumbent on me to make every motion that is in order.

Mr. WACHTER. In view of the fact that I have made my excuse, I hope every gentleman who came here after being absent will do the same.

The SPEAKER pro tempore. The gentleman from Maryland should be happy that he has excused himself to the satisfaction of the House, and should not bother himself about others.

Mr. PEAREE. Mr. Speaker, is a motion to adjourn in order? The SPEAKER pro tempore. It is if seconded by a majority of those present.

Mr. PEAREE. I make that motion.

The question being taken, the motion was not seconded.

Mr. LENTZ. I ask unanimous consent to dispense with further proceedings under the call.

The SPEAKER pro tempore. The Chair does not think that request can be entertained, no quorum being present.

Mr. HENRY of Mississippi. The gentleman from Pennsylvania [Mr. ZIEGLER] wants to offer his excuse for not being in time. I ask that the Clerk read it.

The SPEAKER pro tempore. The gentleman from Pennsylvania [Mr. ZIEGLER] desires the House to understand his excuse; and the Clerk will read it.

The Clerk read as follows:

You have asked me, tell the story,
Tell the story of my absence.
I should answer, I should tell you,
I was in my bed and sleeping,
Sweetly sleeping, when the summons
Came to call me to your presence.
I am here, but oh, so weary
With affairs of state so dreary,
Only waiting, only waiting,
So that you may count a quorum.
Homeward then my way I'll wend me,
Waiting for the final ending
Of the long and tedious sitting,
Of our night and all-day session.
This is all I've got to tell you
As for reason why I'm brought here.

[Laughter and applause.]

Mr. UNDERWOOD (at 3 o'clock and 30 minutes a. m.) Mr. Speaker, the roll call has demonstrated that a quorum is here. I understand that there has been an agreement by the conferees on the deficiency bill and also on the sundry civil bill. It is evident that if these bills can be engrossed in time, we can reach the adjournment to-morrow at 3 o'clock, the time contemplated by the resolution as adopted by the House. The enrolling clerks will need from 8 o'clock until 3 to properly engross these bills. I therefore think it wise that the motion of the gentleman from New York [Mr. PAYNE] should pass in order to expedite the business of the House.

The SPEAKER. On the pending motion, the yeas are 42, the nays 98, answering "present" 39, making a total of 179. A quorum is present; and the motion is not agreed to. The question recurs on the motion of the gentleman from New York to take a recess until 8 o'clock a. m.

The question being put, the motion was agreed to; and, at 3 o'clock and 35 minutes a. m., the House took a recess.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

Mr. RAY of New York, from the Committee on the Judiciary, to which was referred the bill of the House (H. R. 1159) to amend "An act to incorporate the Supreme Lodge of the Knights of Pythias," reported the same with amendment, accompanied by a report (No. 1959); which said bill and report were referred to the House Calendar.

Mr. DE ARMOND, from the Committee on the Judiciary, to which was referred the bill of the House (H. R. 10498) to create a new division in the western judicial district of the State of Missouri, reported the same without amendment, accompanied by a report (No. 1983); which said bill and report were referred to the House Calendar.

Mr. CUMMINGS, from the Committee on Naval Affairs, to which was referred the bill of the House (H. R. 604) granting equal privileges to per diem employees in the United States Navy outside of Washington, D. C., with those employed at the Executive Department in Washington, D. C., reported the same without

amendment, accompanied by a report (No. 1984); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

✓ Mr. JONES of Washington, from the Committee on the Public Lands, to which was referred the bill of the House (H. R. 11357) providing that new forest reserves shall be created and additions to existing reserves shall be made hereafter only by act of Congress, reported the same with amendment, accompanied by a report (No. 1985); which said bill and report were referred to the House Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 7332) prohibiting the establishment or extension of forest reserves in the State of Washington except by act of Congress, reported the same with amendment, accompanied by a report (No. 1986); which said bill and report were referred to the House Calendar.

Mr. LITTLEFIELD, from the Committee on the Judiciary, to which was referred the bill of the House (H. R. 8917) to limit the meaning of the word "conspiracy" and also the use of "restraining orders and injunctions" as applied to disputes between employers and employees in the District of Columbia and Territories or engaged in commerce between the several States, District of Columbia, and Territories, and with foreign nations, reported the same with amendment, accompanied by a report (No. 1987); which said bill and report were referred to the House Calendar.

Mr. LANDIS, from the Committee on Reform in the Civil Service, to which was referred the bill of the House (H. R. 5779) giving preference to honorably discharged soldiers, sailors, and marines in all appointments in the civil service of the United States, reported the same with amendment, accompanied by a report (No. 1988); which said bill and report were referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. CALDERHEAD, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 2092) granting an increase of pension to Madison McCollister, reported the same with amendment, accompanied by a report (No. 1952); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 8079) granting an increase of pension to Chauncey Sheldon, reported the same without amendment, accompanied by a report (No. 1953); which said bill and report were referred to the Private Calendar.

Mr. CALDERHEAD, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 6787) to pension Edwin A. Wilson, reported the same with amendment, accompanied by a report (No. 1954); which said bill and report were referred to the Private Calendar.

Mr. GIBSON, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 10766) to pension Miss Flora Moore, of Williamsburg, Ky., reported the same with amendment, accompanied by a report (No. 1955); which said bill and report were referred to the Private Calendar.

Mr. CALDERHEAD, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 12079) granting an increase of pension to Benjamin T. Thomas, reported the same without amendment, accompanied by a report (No. 1956); which said bill and report were referred to the Private Calendar.

Mr. DRIGGS, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 3546) granting a pension to Caroline M. H. Searing, reported the same with amendment, accompanied by a report (No. 1957); which said bill and report were referred to the Private Calendar.

Mr. THOMAS of Iowa, from the Committee on Claims, to which was referred the bill of the House (H. R. 7407) for the relief of Rinaldo P. Smith, of Baltimore, Md., reported the same with amendment, accompanied by a report (No. 1958); which said bill and report were referred to the Private Calendar.

Mr. GRAFF, from the Committee on Claims, to which was referred the bill of the House (H. R. 5438) to refer the claim of Joseph W. Parish to the Secretary of the Treasury for examination and payment of any balance found due, reported the same without amendment, accompanied by a report (No. 1962); which said bill and report were referred to the Private Calendar.

Mr. BOUTELL of Illinois, from the Committee on Claims, to which was referred the bill of the House (H. R. 9821) for the relief of Angus A. McPhee, reported the same without amendment, accompanied by a report (No. 1963); which said bill and report were referred to the Private Calendar.

Mr. SOUTHARD, from the Committee on Claims, to which was referred the bill of the House (H. R. 2471) for the relief of Columbus F. Hayward and the executor of Charlotte G. Hayward, reported the same without amendment, accompanied by a report (No. 1964); which said bill and report were referred to the Private Calendar.

Mr. BOUTELL of Illinois, from the Committee on Claims, to which was referred the bill of the House (H. R. 7031) for the relief of John Ware Page, reported the same with amendment, accompanied by a report (No. 1965); which said bill and report were referred to the Private Calendar.

Mr. OTEY, from the Committee on Claims, to which was referred the bill of the House (H. R. 9949) for the relief of the estate of Robert B. Pearce, deceased, reported the same without amendment, accompanied by a report (No. 1966); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 525) for the relief of S. Steele Finley, reported the same without amendment, accompanied by a report (No. 1967); which said bill and report were referred to the Private Calendar.

Mr. GRAFF, from the Committee on Claims, to which was referred the bill of the House (H. R. 218) for the relief of the heirs and legal representatives of those who were killed by the explosion of the gun-cotton factory at the United States torpedo station at Newport, R. I., reported the same without amendment, accompanied by a report (No. 1968); which said bill and report were referred to the Private Calendar.

Mr. OTEY, from the Committee on Claims, to which was referred the bill of the House (H. R. 8401) for the relief of the estate of Thomas Forster, reported the same without amendment, accompanied by a report (No. 1969); which said bill and report were referred to the Private Calendar.

Mr. BOUTELL of Illinois, from the Committee on Claims, to which was referred the bill of the House (H. R. 4980) for the relief of Willis Benefield, reported the same without amendment, accompanied by a report (No. 1970); which said bill and report were referred to the Private Calendar.

Mr. RIXEY, from the Committee on Claims, to which was referred the bill of the House (H. R. 5294) for the relief of Mrs. Annie J. Bassett, reported the same with amendment, accompanied by a report (No. 1971); which said bill and report were referred to the Private Calendar.

Mr. BOUTELL of Illinois, from the Committee on Claims, to which was referred the bill of the House (H. R. 5875) for the relief of Mrs. Willie Belger Morse, reported the same without amendment, accompanied by a report (No. 1972); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 7786) to refund internal-revenue taxes paid by owners of private dies, reported the same without amendment, accompanied by a report (No. 1973); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 7761) for the relief of Hannah W. Millard, reported the same with amendment, accompanied by a report (No. 1974); which said bill and report were referred to the Private Calendar.

Mr. SOUTHARD, from the Committee on Claims, to which was referred the bill of the Senate (S. 95) to provide for the refunding of certain moneys illegally assessed and collected in the district of Utah, reported the same without amendment, accompanied by a report (No. 1975); which said bill and report were referred to the Private Calendar.

Mr. BOUTELL of Illinois, from the Committee on Claims, to which was referred the bill of the Senate (S. 226) for relief of heirs of Philip C. Rowe, reported the same with amendment, accompanied by a report (No. 1976); which said bill and report were referred to the Private Calendar.

Mr. PHILLIPS, from the Committee on Claims, to which was referred the bill of the Senate (S. 988) for the relief of Lindley C. Kent and Joseph Jenkins, as sureties of Frank A. Webb, reported the same without amendment, accompanied by a report (No. 1977); which said bill and report were referred to the Private Calendar.

Mr. SOUTHARD, from the Committee on Claims, to which was referred the bill of the Senate (S. 2887) for the relief of H. B. Matteosian, reported the same without amendment, accompanied by a report (No. 1978); which said bill and report were referred to the Private Calendar.

Mr. GRAFF, from the Committee on Claims, to which was referred the bill of the Senate (S. 1710) for the relief of Alphonso M. Potvin, reported the same with amendment, accompanied by a report (No. 1979); which said bill and report were referred to the Private Calendar.

ADVERSE REPORTS.

Under clause 2 of Rule XIII, adverse reports were delivered to the Clerk, and laid on the table, as follows:

Mr. RAY of New York, from the Committee on the Judiciary, to which was referred the bill of the Senate (S. 3254) to amend section 953 of the Revised Statutes of the United States, reported the same adversely, accompanied by a report (No. 1980); which said bill and report were ordered to lie on the table.

He also, from the same committee, to which was referred the joint resolution of the Senate (S. R. 103) providing for the introduction of testimony on behalf of the defendant in all preliminary hearings of a criminal nature, reported the same adversely, accompanied by a report (No. 1981); which said resolution and report were ordered to lie on the table.

Mr. BOUTELL of Illinois, from the Committee on Claims, to which was referred the bill of the House (H. R. 292) to carry out the findings of the Court of Claims in the case of James H. Dennis, reported the same adversely, accompanied by a report (No. 1980); which said bill and report were ordered to lie on the table.

He also, from the same committee, to which was referred the bill of the House (H. R. 3701) to restore to certain citizens the proceeds arising from the sale of their lands under the several acts levying direct taxes, and for other purposes, reported the same adversely, accompanied by a report (No. 1981); which said bill and report were ordered to lie on the table.

He also, from the same committee, to which was referred the bill of the House (H. R. 7442) for the relief of A. G. Boone, reported the same adversely, accompanied by a report (No. 1982); which said bill and report were ordered to lie on the table.

Mr. BULL, from the Committee on Accounts, to which was referred the resolution of the House (H. Res. 237) authorizing the Clerk of the House to pay Frederick Schwalbe for services, reported the same adversely, accompanied by a report (No. 1983); which said resolution and report were ordered to lie on the table.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Pensions was discharged from the consideration of the bill (H. R. 12108) for the relief of Mary C. Cathcart; and the same was referred to the Committee on Invalid Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS INTRODUCED.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. MIERS of Indiana: A bill (H. R. 12122) to establish a court of pension appeals, and for other purposes—to the Committee on Invalid Pensions.

By Mr. DALZELL (by request): A bill (H. R. 12123) authorizing the appointment of a commission to ascertain what legislation is necessary to secure a uniform standard in the practice of medicine and surgery throughout the United States, and for other purposes—to the Committee on the Judiciary.

By Mr. CUSHMAN: A bill (H. R. 12124) to authorize the issuance of patents to settlers upon and occupants of certain lands in the State of Washington—to the Committee on the Public Lands.

By Mr. NEEDHAM: A bill (H. R. 12125) providing for the construction of a wagon road within the boundaries of the Yosemite National Park—to the Committee on the Public Lands.

By Mr. FOSS: A bill (H. R. 12126) to provide for the enrollment and organization of a United States naval reserve—to the Committee on Naval Affairs.

By Mr. RANDELL: A bill (H. R. 12151) to punish for defrauding ex-slaves, and so forth—to the Committee on the Judiciary.

By Mr. METCALF: A bill (H. R. 12152) providing for the purchase and making free of certain toll roads passing over the Yosemite National Park—to the Committee on the Public Lands.

By Mr. SOUTHARD: A bill (H. R. 12159) to establish a branch home for the widows of dependent and deceased soldiers, sailors, and marines near the city of Toledo, Ohio—to the Committee on Military Affairs.

By Mr. WARNER: A bill (H. R. 12160) making appropriation for payment of the salaries of certain officers in the district of Alaska for the fiscal year ending June 30, 1901, and for other purposes—to the Committee on Appropriations.

By Mr. RIDGELY: A bill (H. R. 12161) to provide for public construction, ownership, and operation of public utilities, and to enable the unemployed to earn a living, to utilize industry, and produce general prosperity—to the Committee on Ways and Means.

Also, a bill (H. R. 12162) to render absolute the presumption, in

all pension cases, of the physical soundness of the soldier at the time of enlistment—to the Committee on Invalid Pensions.

By Mr. MUDD: A bill (H. R. 12163) authorizing the Secretary of War to enter into a contract or contracts for the dredging and improvement of the Anacostia River, and the reclamation of its flats, from the line of the District of Columbia to the mouth of said river—to the Committee on the District of Columbia.

Also, a bill (H. R. 12164) authorizing the Commissioners of the District of Columbia, subject to the approval and supervision of the Secretary of War, to enter into a contract or contracts for the dredging and improvement of the Anacostia River, and the reclamation of its flats, from the line of the District of Columbia to the mouth of said river—to the Committee on the District of Columbia.

By Mr. BULL, from the Committee on Accounts: A joint resolution (H. J. Res. 268) to pay the officers and employees of the Senate and House of Representatives their salaries for the month of June on the day following adjournment—Ordered to be printed.

By Mr. BANKHEAD: A resolution (H. Res. 295) directing the Secretary of War to stop all work on the improvement of harbor of San Pedro, Cal.—to the Committee on Rivers and Harbors.

By Mr. LEVY: A resolution (H. Res. 296) asking the good offices of the United States with France to effect the restoration of Capt. Alfred Dreyfus to his former rank in the army—to the Committee on Foreign Affairs.

By Mr. WARNER: A resolution (H. Res. 298) for printing 1,000 copies of the Alaskan code—to the Committee on Printing.

PRIVATE BILLS AND RESOLUTIONS INTRODUCED.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. ADAMS: A bill (H. R. 12127) to authorize Ethelbert Watts, United States consul at Kingston, Jamaica, to accept the Third Class of the Imperial Order of the Osmanieh, conferred upon him by the Khedive of Egypt—to the Committee on Foreign Affairs.

By Mr. BOREING: A bill (H. R. 12128) granting a pension to James H. Barclay—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12129) granting a pension to John L. Baird—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12130) granting a pension to Lavina Clark—to the Committee on Invalid Pensions.

By Mr. BROWNLOW: A bill (H. R. 12131) for the relief of Thomas Cody—to the Committee on Invalid Pensions.

By Mr. BULL: A bill (H. R. 12132) granting an increase of pension to Julius Boyden—to the Committee on Invalid Pensions.

By Mr. BURNETT: A bill (H. R. 12133) granting an increase of pension to John C. Head—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12134) granting a pension to Rebecca Ann Tiner—to the Committee on Invalid Pensions.

By Mr. COUSINS: A bill (H. R. 12135) granting an increase of pension to Benjamin S. Bogardus—to the Committee on Invalid Pensions.

By Mr. GIBSON: A bill (H. R. 12136) for the relief of James T. Blair, executor of Hugh Blair, deceased—to the Committee on War Claims.

By Mr. GREENE of Massachusetts: A bill (H. R. 12137) to restore to the pension roll the name of Horace H. P. Lovell—to the Committee on Invalid Pensions.

By Mr. LASSITER: A bill (H. R. 12138) for the relief of B. T. Johns—to the Committee on War Claims.

By Mr. McCLEARY: A bill (H. R. 12139) granting an increase of pension to Phoebe L. Peyton—to the Committee on Invalid Pensions.

By Mr. PARKER of New Jersey: A bill (H. R. 12140) for the relief of William D. Rutan—to the Committee on Claims.

By Mr. RAY of New York: A bill (H. R. 12141) granting an increase of pension to Warren Hughs—to the Committee on Invalid Pensions.

By Mr. SHELDEN: A bill (H. R. 12142) granting an increase of pension to William B. Wright—to the Committee on Invalid Pensions.

By Mr. SIMS: A bill (H. R. 12143) granting a pension to R. B. White—to the Committee on Pensions.

By Mr. SAMUEL W. SMITH: A bill (H. R. 12144) to increase the pension of Augustus Nacker—to the Committee on Invalid Pensions.

By Mr. WM. ALDEN SMITH: A bill (H. R. 12145) for relief of Charles M. Tibbitts—to the Committee on Military Affairs.

By Mr. TATE (by request): A bill (H. R. 12146) for relief of William G. Blackwell—to the Committee on Military Affairs.

Also (by request), a bill (H. R. 12147) for relief of Milton Holt—to the Committee on Military Affairs.

Also (by request): A bill (H. R. 12148) for relief of John T. Fitzgerald—to the Committee on Military Affairs.

By Mr. HENRY C. SMITH: A bill (H. R. 12149) granting a pension to Dr. Richard H. Davis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12150) granting a pension to Clara L. Coleman—to the Committee on Invalid Pensions.

By Mr. BENTON: A bill (H. R. 12153) to carry out the findings of the Court of Claims in the case of Hezekiah M. Martin—to the Committee on War Claims.

By Mr. CALDERHEAD: A bill (H. R. 12154) for the relief of W. J. Randolph—to the Committee on War Claims.

Also, a bill (H. R. 12155) granting an increase of pension to Edward B. Scott—to the Committee on Invalid Pensions.

By Mr. RIDGELY: A bill (H. R. 12156) extending the term of patent No. 244904—to the Committee on Patents.

Also, a bill (H. R. 12157) granting a pension to Lyman E. Bullock—to the Committee on Invalid Pensions.

By Mr. GARDNER of Michigan: A bill (H. R. 12158) granting an increase of pension to George F. Hunting—to the Committee on Invalid Pensions.

By Mr. BURNETT: A resolution (H. Res. 297) referring H. R. 12102 to the Court of Claims—to the Committee on War Claims.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. BENTON: Paper to accompany House bill relating to the claim of Hezekiah M. Martin—to the Committee on War Claims.

By Mr. BURNETT: Papers to accompany House bill No. 11226, for the relief of Amos L. Griffith—to the Committee on War Claims.

Also, papers to accompany House bill No. 11235, to remove the charge of desertion from the record of James W. Guthrie—to the Committee on Military Affairs.

By Mr. CALDERHEAD: Petition of 1,500 postal clerks in the United States, favoring the passage of House bill No. 4351 and certain other postal measures—to the Committee on the Post-Office and Post-Roads.

Also, petition of C. F. Pusch, of Marysville, Kans., and Cigar Leaf Tobacco Board of Trade, Philadelphia, Pa., favoring House bill No. 7935, for the payment of duties on imported tobacco on its weights at the date of withdrawal from bonded warehouses—to the Committee on Ways and Means.

Also, paper of George F. Page, in relation to our future trade with China—to the Committee on Foreign Affairs.

Also, petition of G. W. Clark, of Sioux City, Iowa, favoring House bill No. 4478, pensioning totally disabled soldiers, etc.—to the Committee on Invalid Pensions.

Also, petition of Spanish war veterans of the District of Columbia, for an appropriation to build an addition to Providence Hospital for persons unable to pay—to the Committee on Appropriations.

Also, petition of McLeod Brothers, of Marietta, Kans., favoring amendment to the Culson bill—to the Committee on Interstate and Foreign Commerce.

Also, petitions of the Retail Merchants' Association of Illinois; D. H. Otis, of Manhattan, Kans.; Aroma Creamery, of Herington, Kans., and Blue Valley Creamery Company, of Marysville, Kans., in relation to the passage of House bill No. 3717, amending the oleomargarine law—to the Committee on Agriculture.

Also, petition of 4 substitute letter carriers of Topeka, Kans., favoring the passage of House bill No. 1051, to grade substitute letter carriers—to the Committee on the Post-Office and Post-Roads.

Also, petition of Nicoll, Anable & Lindsay, of New York City, relating to the extradition of fugitives from justice of Cuba—to the Committee on the Judiciary.

Also, letter of N. F. Thompson, secretary of Southern Industrial Convention, Huntsville, Ala., and petition of the W. J. McGahan Sugar Refining Company, of Philadelphia, Pa., favoring the passage of House bill relating to the Philadelphia museums, etc.—to the Committee on Interstate and Foreign Commerce.

Also, resolution of the Chicago Commercial Association, favoring the establishment of a department of commerce and industries—to the Committee on Interstate and Foreign Commerce.

Also, resolutions of the American Chamber of Commerce of Paris, relating to the treaty of commerce between the United States and France—to the Committee on Interstate and Foreign Commerce.

Also, petition of Armour Packing Company and other firms, against any legislation increasing the tax on oleomargarines—to the Committee on Agriculture.

Also, petitions of citizens of Muncie and vicinity, State of Indiana, to amend the present law in relation to the sale of oleomargarine—to the Committee on Agriculture.

By Mr. CROMER: Protests of C. J. Jackson and others, against

the passage of House bill No. 3717 and other similar bills—to the Committee on Agriculture.

By Mr. STANLEY W. DAVENPORT: Petition of United Mine Workers, Edwarsdale, Pa., favoring House bills 6882, 5450, and 8917—to the Committee on Labor.

By Mr. DAVEY: Petition of E. F. Gusle and 8 other druggists of New Orleans, La., for the repeal of the stamp tax on medicines, etc.—to the Committee on Ways and Means.

By Mr. GREENE of Massachusetts: Petition of the Woman's Christian Temperance Union of Chatham, Mass., urging the enactment of the Bowersock anti-canteen bill—to the Committee on Military Affairs.

By Mr. GROUT: Petition of Woman's Christian Temperance Union of East Corinth, N. Y., to prohibit the sale of intoxicants in our new possessions and in our Army—to the Committee on Military Affairs.

By Mr. HALL: Papers to accompany House bill No. 9742, to correct the military record and granting an honorable discharge to A. T. Bloom—to the Committee on Military Affairs.

By Mr. LASSITER: Evidence to accompany House bill for the relief of B. T. Johns, of Virginia—to the Committee on War Claims.

By Mr. LENTZ: Petitions of various newspaper publishers in the State of Ohio, for the repeal of the tariff on printing paper—to the Committee on Ways and Means.

By Mr. LITTAUER: Petitions of the Presbyterian, Baptist, and Episcopal churches of Johnstown, N. Y., urging the enactment of the anti-canteen bill—to the Committee on Military Affairs.

By Mr. MCPHERSON: Petitions of J. B. Atkins and 21 others, of Council Bluffs; F. D. Jeffrey and 6 others, of Atlantic; P. Powell and 5 others, of Adair, Iowa, for the repeal of the stamp tax on proprietary medicines—to the Committee on Ways and Means.

Also, petition of F. W. Curtis and 19 others, of Dunlap, Iowa, favoring free trade with Porto Rico—to the Committee on Insular Affairs.

Also, petition of C. R. Harrison and 16 others, of Council Bluffs, Iowa, in reference to House bill No. 887, relating to the Philadelphia museums, etc.—to the Committee on Interstate and Foreign Commerce.

Also, petitions of Jenkin Hughes and 7 others, of Red Oak; George Just and 21 others, of North Branch; J. H. Martin and 62 others, of Audubon, Iowa, to amend the present law in relation to the sale of oleomargarine—to the Committee on Agriculture.

By Mr. NAPHEN: Petition of the Young People's Society of Christian Endeavor of Boston, Mass., for the passage of the Bowersock anti-canteen bill—to the Committee on Military Affairs.

By Mr. OGRADY: Petitions of citizens of Peruville and Brockport, N. Y., urging the passage of the Grout bill to increase the tax on oleomargarine, etc.—to the Committee on Agriculture.

By Mr. RUSSELL: Petition of citizens of the State of Connecticut, urging the enactment of a law forbidding the sale of intoxicating liquors in the Hawaiian Islands, Philippines, Porto Rico, and Cuba—to the Committee on the Territories.

By Mr. STEELE: Petitions of Cigar Makers' Union, No. 150, of Marion, Ind.; Painters' Union; Forest City Lodge, No. 10, and Carpenters' Union, all of Cleveland, Ohio; Locomotive Firemen, No. 445, of Columbus; Federation of Labor of Chicago, Ill., and various other organizations, in relation to the manufacture and sale of oleomargarine—to the Committee on Agriculture.

By Mr. WACHTER: Affidavit of William H. Hooper, relating to a bill to extend Letters Patent No. 284401, for an ore separating machine, in favor of Charles H. Uversagt, of Baltimore, Md.—to the Committee on Patents.

By Mr. WANGER: Petition of Willis Steely and other farmers of Bucks County, Pa., in favor of the Grout oleomargarine bill—to the Committee on Agriculture.

SENATE.

WEDNESDAY, June 6, 1900.

The Senate met at 12 o'clock m.

Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. CULLOM, and by unanimous consent, the further reading was dispensed with.

The PRESIDENT pro tempore. Without objection, the Journal will stand approved.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had passed a bill (H. R. 5048) to confirm in trust to the city of Albuquerque, in the Territory of New Mexico, the town of Albuquerque grant, and for other purposes; in which it requested the concurrence of the Senate.

The message also announced that the House had agreed to the

report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 11537) making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1900, and for prior years, and for other purposes.

HOUSE BILL REFERRED.

The bill (H. R. 5048) to confirm in trust to the city of Albuquerque, in the Territory of New Mexico, the town of Albuquerque grant, and for other purposes, was read twice by its title, and referred to the Committee on Public Lands.

CIVIL GOVERNMENT FOR ALASKA.

Mr. CARTER submitted the following concurrent resolution; which was considered by unanimous consent, and agreed to:

Resolved by the Senate (the House of Representatives concurring), That the Committee on Enrolled Bills be, and it is hereby, authorized and directed to insert the word "low," after the word "below" in line 28, page 11, of the enrolled bill entitled "An act making further provision for a civil government for Alaska, and for other purposes," the same having been omitted in the enrollment of the bill.

PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. O. L. PRUDEN, one of his secretaries, announced that the President had on this day approved and signed the following acts:

An act (S. 2981) to incorporate the American National Red Cross, and for other purposes; and

An act (S. 3598) to amend an act granting to the Muscle Shoals Power Company right to erect and construct canal and power stations at Muscle Shoals, Alabama.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 10308) to extend to certain publications the privileges of second-class mail matter as to admissions to the mails.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 11212) making appropriations for the sundry civil expenses of the Government for the fiscal year ending June 30, 1901, and for other purposes, and further disagrees to the amendment of the Senate numbered 81.

The message further announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 11326) to regulate the collection of taxes in the District of Columbia, asks a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. MUDD, Mr. PEARRE, and Mr. LATIMER managers at the conference on the part of the House.

The message also announced that the House had agreed to the concurrent resolution of the Senate to correct an error in the enrollment of S. 3419, making provision for a civil government for the Territory of Alaska.

ENROLLED BILLS SIGNED.

The message further announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by the President pro tempore:

A bill (H. R. 1871) for the relief of E. B. Crozier, executrix of the last will of Dr. C. W. Crozier, of Tennessee;

A bill (H. R. 2908) granting a pension to Frances A. Jones;

A bill (H. R. 5208) granting a pension to Mary E. Dickey;

A bill (H. R. 6490) granting a pension to Martha C. Horn;

A bill (H. R. 7066) granting an increase of pension to Hiram C. Childress; and

A bill (H. R. 8665) authorizing and requiring the Metropolitan Railroad Company to extend its lines on old Sixteenth street.

PRIVILEGES OF SECOND-CLASS MAIL.

Mr. CHANDLER submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 10308) to extend to certain publications the privileges of second-class mail matter as to admission to the mails, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 1 and 2.

WILLIAM E. CHANDLER,
THOMAS H. CARTER,
MARION BUTLER,

Managers on the part of the Senate.

E. F. LOUD,
J. J. GARDNER,
J. M. GRIGGS,

Managers on the part of the House.

The report was agreed to.

NAVAL APPROPRIATION BILL.

Mr. HALE. I hope the Senate will proceed with the consideration of the conference report on the naval appropriation bill.

The Senate resumed the consideration of the report of the committee of conference upon the disagreeing votes of the two Houses on the amendments of the Senate numbered 9, 50, 51, 52, 53, and 58 to the bill (H. R. 10450) making appropriations for the naval service for the fiscal year ending June 30, 1901, and for other purposes.

Mr. PETTIGREW. I suppose the regular order is morning business.

Mr. HALE. This is a privileged question.

Mr. PETTIGREW. It has not yet been presented to the Senate. The PRESIDENT pro tempore. The Senator from Maine asks for the consideration of the conference report on the naval appropriation bill. Without objection, the Chair lays the report before the Senate.

Mr. PETTIGREW. I suppose, Mr. President, that that is in order at any time.

The PRESIDENT pro tempore. It is in order at any time.

Mr. PETTIGREW. And it does not displace the morning business?

The PRESIDENT pro tempore. Only temporarily. The conference report is before the Senate.

Mr. TELLER. Mr. President, I understand that the amendment offered by the Senator from Pennsylvania [Mr. PENROSE] is practically the demand which the House of Representatives is making on our conferees. It is entirely at variance with our traditions and the traditions of every other free government where the powers of the executive are carefully defined. The distinction between the legislative and executive departments are kept all the time in view. We propose by this proposition from the House of Representatives—I am going to assume that it is the House proposition to give the Secretary of the Navy absolute and unlimited power over this question. We give him discretion in a matter that we can not question; and in my judgment we shall have no right to criticize him. If we have not sufficient judgment to fix a limit, or if we are too cowardly, for fear of the influences of these combines, in either case we have no right to impose the duty of fixing it upon the Secretary of the Navy. It is contrary to our history; it is contrary to the dealings that we have had in all these affairs heretofore.

Mr. President, we are buying gun metal and we are buying great quantities of it, and I never heard we gave the Secretary of War power to buy it and to fix his own price. I will ask the chairman of the Committee on Ordnance, whom I see here now [Mr. PERKINS], whether we have any price fixed for gun metal; and if so, what it is? And before I proceed I shall want to ask him one other question when he gets through the answer to this.

Mr. PERKINS. I will say that some four years since, when this subject-matter came before our committee for consideration, we were then paying 27 cents per pound for the steel forgings as they came from the works and were taken to the gun factories in the navy-yards to have the jackets shrunk upon them. That is, the steel was supposed to be tool steel, the very best metal of the kind that can be manufactured. The limit of price for that metal, as I have stated, was then 27 cents a pound. It was reduced the second year, I think to 24 cents, and two years ago to 22 cents, and it has remained at that figure ever since. That would be about \$492 a ton, I think, for what is known as the very best quality of tool steel, fixed by law in the bill by the Senate and the House of Representatives; and again and again it has been confirmed. There is one other thing in this connection besides the quality, and that is for the 4, 6, and 8 inch guns, the pieces are very much smaller and more difficult to handle with a trip hammer than these large armor plates, which are worked by immense hydraulic presses. Does that answer the Senator's question?

Mr. TELLER. Yes. I wish to ask the Senator one other question, and that is whether the committee have any knowledge or have made any examination or have any evidence as to the cost of the manufacture of armor plate?

Mr. PERKINS. Does the Senator mean as to the cost of the manufacture of guns or of armor?

Mr. TELLER. The cost of the manufacture of the armor plate.

Mr. PERKINS. In the committee, four years since, when Secretary Herbert was present, he stated that he had made a demand upon the Bethlehem and Carnegie companies for an exhibit of their books as to the actual cost of armor plate, which was then Harveyized steel plate. He said to them, "Show me by your balance sheets and your books what it costs to produce armor plate, and that will be all the data I shall require. I will thereupon abandon my theory and accept your figures." They declined, however, to exhibit their balance sheets or their books. Therefore, Mr. President, that made the committee assume that the estimate made by Mr. Secretary Herbert, the then Secretary of the Navy, was rather over than under the actual cost of the metal.

Mr. TELLER. That is a very fair conclusion to arrive at. If the estimate had been under, those people would have been very quick to produce their books to show that the figures of Secretary Herbert were in error.

Mr. President, if the manufacturers can make gun metal, which is infinitely more difficult to make, and which ought to command a much higher figure than the figures mentioned, they certainly can make this armor plate at the figures we state in our bill, and very much below them.

There is no necessity for going into any general debate to show that armor plate can be made at a profit for \$300 a ton. There is not anybody here who does not believe it, or, if he does not believe it, it is because he has not tried to inform himself on the subject. Nobody has ever been able to come into this Senate or to go into the House of Representatives or before the American people and show that the figures of Secretary Herbert were not just and proper. This armor-plate concern and combine has never tried to contradict his statement, except by general assertions that armor plate can not be made for that price. If it can not be made for that price, why do they not show at what price it can be made? If these concerns are making armor plate, they know to a fraction of a cent what it costs per pound to make it.

We know, in addition to that, as I said the other day, the finding of the Navy Department was buttressed and supported by the fact that these people went into competition in Europe with the great manufacturers of armor plate there, carried their product across the sea, and sold it in foreign lands for \$240 a ton. Nobody can say here that they sold it abroad to make a market; nobody can say that they sold it at a loss; nobody pretends that they sold it at a loss, unless it be their defenders here on this floor who assert it.

Mr. President, it is said that these companies sent armor plate abroad so as to show to the American people that they have some reason for sending it abroad and selling it at a lower price. They did sell it at less than it was sold for here; but they did not sell it at a loss, and the man who stands on this floor and says that they did sell it at a loss insults the intelligence of this body and insults the intelligence of the American people. These combinations believe that they have the power to compel the Government of the United States to give them their price, a price, I will say again, which has been repeatedly declared by members of both political organizations on this floor is a robber's price.

There is a way to escape from the control of this combine, and that is, for the Government of the United States to build an armor-plate plant of its own; to build and create armor as we create guns; to build and create armor as we create ships.

I know it will be said here, as it was said the other day, that you can not show that armor plate can be built without it costing more than it is proposed to pay to these people. Assertions are nothing. The statement made here on the floor that the Government can not build armor plate without costing more than we are paying for it is not supported by our experience in our gun shops, nor by our experience in our navy-yards. It is contradicted by every effort the Government has made to manufacture rifles and everything else. It is the plea of the defender; it is the plea of the combine; it is the plea of those who are willing, for some purpose or another, that the Government shall be robbed or that the Government shall cease to build ships and equip them as they ought to be equipped.

I am loath to make such charges; and yet these charges have been made on the floor of the Senate for five straight years. They have been made in the public press and on the stump. I want to know of this Senate now if they wish to repeat this unseemly condition every time we have to equip or arm a battle ship? You will do it until you build your own plant, or until you convince these combinations and producers of armor plate that the Government of the United States is stronger than any corporation on this American continent.

Mr. President, the rules of propriety prevent my making any comment upon the action of the House of Representatives, but the condition we are in to-day is the condition which I predicted the other day on the floor we should be in. I knew that certain influences in this country have determined that we should pay to this armor combine whatever it demanded, and I have predicted that before we got through with this contest the American Senate would surrender to the armor-plate combine. I think we are very likely to make that prophecy good between this time and the time of adjournment to-night.

I have been asked what are we to do; and it is said somebody must give way. I want to say here what I would do and what I think the credit of the American Senate demands, and that is, I would insist upon a fair limit; that we should say we will give no discretionary power to the Secretary of the Navy as is proposed; and if we are unable to crystallize that into law, let the whole proposition fail, battle ships and all. That is the only way that the American Senate can assert their independence. It is the only way that they can go to the American people and feel that they have a right to demand the confidence and support of the people. They can not do it if they surrender to this combine.

It has ceased to be a question of policy and become one of abso-

lute principle, and one that I think closely touches this body. I do not believe that you can agree to the proposition of the Senator from Pennsylvania [Mr. PENROSE], which is the proposition of the House of Representatives, without such a scandal and disgrace as has not afflicted us as a people for many years. I think the stealings in Cuba will be insignificant and lost sight of in this greater steal, in this greater combine, allowed by the American Senate with the full knowledge that it is a steal.

Mr. President, I speak with some feeling on this subject. I have some regard for American honor and American reputation, none too high at home, for it is too much believed among the great mass of our countrymen that our conduct here is not always guided by the highest virtue and by the strictest integrity. Are we to give reason for these charges by a willful surrender to these combines, by an admission that they have been robbing us for five years, and that we intend they shall continue robbing us for an indefinite period rather than build an armor plant of our own and take them by the throat and fix the price as we should do?

The statement made here the other day that we can not build an armor plant in five years is no answer. Suppose we can not. I challenged that statement then, and I challenge it now. I assert here that there has been a plant built in this country, from the foundation up—every article within it created anew, from the great rollers that we heard of the other day to the most insignificant tool in it—and in fifteen months armor plate was being delivered to the Government of the United States from that plant. The bogey that is brought up here to frighten us, that this would be a suspension of armoring the ships for five years, is one concocted in the interest of continuing this combine's control over the armor-plate business. It is not justified by the facts; it is not justified by common sense. It is denied by an example that we can emulate, and repeat if we choose. As I said the other day, if it takes more than one year to put a plant in operation, it will be evidence in the minds of the American people that the executive department of the Government does not want to hasten the time when these armor-plate companies can no longer rob the Government of the United States.

If we are at the mercy of this combine, let us quit building ships until we can build a plant and create our own armor plate; and when we create it, we will have a guaranty that it is not full of blowholes, filled up with grease and with putty and with ashes, as we have bought it of these same identical robbers, and paid for it at \$600 a ton. They came before our committee and admitted that they had sold us plates which would not stop an old 6-pounder ball fired from the oldest cannon on the face of the earth—armor plates that we were to put on our ships and risk the lives of our sailors and our men on those ships. Our ships would have gone to the bottom of the sea with the first shot because of the frauds of this combine; and yet they find defenders on this floor, who tell us we must submit to this combine and allow them to continue to steal from the people of the United States. I suppose if we complain of bad armor they will say to us, "Oh, you ought to take any armor plate we produce to put on your ships, because you can not build better yourselves."

Mr. President, the hour has come when the party in power has got to take the responsibility for this thing. If they want to go to the American people and, with a majority in both Houses and with the Executive, say, "We are willing to continue this robbery," I will enter my protest. They have got the power to do it, and I am very much afraid they propose to do it, but they shall not do it without my negative vote; they shall not do it without giving me an opportunity of saying to the American people, "You are being robbed; you are being robbed by the party that you put in power under pledges that you should have good government and honest administration of public affairs, which you have the right to demand and the right to expect of any Administration, no matter how it may be labeled."

Mr. President, I do not desire at this late hour of the session to go into details or to spend any more time. I have entered my protest. If the defenders of this combine can show that my statements are extravagant or untruthful, they will have the opportunity so to do; but when I say that armor plate can be made for \$300 a ton, I am backed up by a former Secretary of the Navy, who, in honesty and ability, is the equal of the present Secretary or any other Secretary of the Navy; I am backed up by a committee of this body, who, after careful investigation, declared that the price of \$300 was more than armor plate cost and left to this combine a fair profit.

If you want to give more, give it like men; stand up and say, "We believe the exigencies of party require us to yield." Yield like men, but do not yield under the pretense that you can not help yourselves and that we are incapable of getting out of this condition by the building of an armor plant because we have not the knowledge and ability to make armor plate. It is the easiest made plate in the world; it is a plate that does not require any great skill; it does require great machinery and a great outlay,

all of which we are able to make, and the American people are willing we shall make it. Nay, more, Mr. President, the American people will demand that we make it, and the question is whether the party in power will meet that demand by providing for an armor plant.

Mr. HANNA. Mr. President, the bitterness of the speech of the Senator from Colorado [Mr. TELLER] excites my sympathy. The argument offered by gentlemen on the other side is only a rehash of what we have heard them say for five years. The basis of all those arguments made at that time was the beginning on the part of members of the Committee on Naval Affairs, and perhaps of others, of a determination that the United States Government should build an armor-plate plant. As I said the other day, watching the development of this question as it has proceeded since I have been a member of the Senate and of the Naval Committee, it has been plainly demonstrated, to my mind, at least, that everything else, no matter what, would be sacrificed to that end, and that has been proven on this floor during the last few days in the discussion that has been going on.

One member of the committee said that he would rather see this whole naval bill fail than that that should not be accomplished; and another said we should have lost the efforts that have been made for the past five years to rescue the Government from the hands of these monopolies, and that it would be a power hereafter taken out of the hands of the legislative department of this Government. Mr. President, that is just what I want to see done. I want to see it taken out of the legislative branch of this Government, because I want to see it taken out of politics. It is a pure, simple business proposition from beginning to end, and I do not know any good reason why the United States Government should not conduct its business upon business principles and business plans.

I resent the charge that anybody on this side of the Chamber has been actuated by any other than as good motives as those of the Senator from Colorado. If the question has descended to the plane of politics, they have put it there. I gave the other day my reasons for favoring the proposition that it be left in the hands of the Secretary of the Navy, because I believe the interests of the United States Government would be better served. We have heard quoted here in the speech made by every Senator on the other side the statement that it costs only \$300 a ton to make armor plate; and those figures are taken from the report of Secretary Herbert, made three or four or five years ago. That is the only data governing them in the proposition they make, and that data was obtained as best it could be by the Secretary, through his employees assigned to that duty.

It is complained that upon application the manufacturers of armor plate refused to show their books and figures and to give the cost; and they did perfectly right in not disclosing those facts. That is their business; and if they chose not to give the information to the public, that was their business also.

Mr. TILLMAN. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Ohio yield to the Senator from South Carolina?

Mr. HANNA. Certainly.

Mr. TILLMAN. Does the Senator see no difference between making public private business and taking into your confidence your only customer, the customer who gave you the start in this business and upon whom you must rely for future contracts? I acknowledge that a private individual or firm in the open market has a right to keep its secrets, its business to itself, but this is an entirely different condition. These two armor-plate factories were induced to go into this business by the Secretaries of the Navy. Mr. Whitney had gone into it first, and Mr. Tracy followed. The Bethlehem people could not furnish armor according to the needs of the ships then being built, and Mr. Tracy induced Mr. Carnegie to take hold, so as to get another factory and, as he thought, to get competition; he did not dream that these two factories were going to combine; and then, when they went into the open market of Europe and contracted to deliver armor to Russia at \$350 a ton or thereabouts, the Senator from New Hampshire [Mr. CHANDLER] instituted this inquiry as to the cost. That is how this matter came about.

I ask the Senator in all fairness if he does not think that these two factories, having been set on foot by the Government, and, as has been testified time and again by both Mr. Tracy and Mr. Herbert, having received in their first contracts enough profit to pay them for the outlay in the expense of constructing their plant, are under some obligations to take the Government into their confidence and let us agree as to what is a decent and fair and honest price?

Mr. HANNA. In reply to the question of the Senator from South Carolina, I will say that I do not think they would have been justified in doing any such thing, because I have not any idea and he has not that the confidence so placed would necessarily have been regarded as so confidential that the world would not know it. Another thing: I do not believe that either of those

manufacturing establishments knew what the armor plate cost, because in the beginning of this manufacturing business they had different machinery from what they have now. Some of it may have been imperfect.

It certainly has been improved upon. The loss in waste by accidents happening in the process was enormous, and no manufacturing establishment could tell what the cost of any article would be until after a period of time, when they could balance their books and charge all that should be charged against the cost of manufacture. When this examination was made and the company made the report to the Secretary of the Navy in his effort to secure information, that industry was in its infancy—entirely so. Therefore, I do not think it was a fair proposition.

But be that as it may, the point I want to make in this controversy is this: Admitting that Secretary Herbert is just as honorable a man and just as able a man as Secretary Long, admitting that both of them are honorable men and competent men to discharge the duties of their office, I think it is a perfectly fair proposition, in view of the present condition of things, the present environments of this subject, to leave it in the hands of that kind of a man, and relieve Congress of this embarrassing situation.

Mr. DANIEL. Will the Senator from Ohio allow me to ask him a question?

Mr. HANNA. Yes.

Mr. DANIEL. If the parties who make the armor plate have a monopoly and will not disprove what the Government reports to be the fair cost of it, how are we to estimate what it would cost, and how is the Secretary of the Navy to estimate what he should pay for it? What business principle would the Senator recommend to us to adopt in order to ascertain what is a fair price for what we are going to buy?

Mr. HANNA. In reply to the latter part of the Senator's question I will say that the Secretary of the Navy would have the same opportunity and better opportunity, now that the industry has progressed and been perfected, to ascertain the cost than the Secretary of the Navy did when the figures were arrived at which form the basis of the argument on the other side.

Mr. DANIEL. What better opportunity would he have than Secretary Herbert had?

Mr. HANNA. I say they might be able to give figures at this time which they could not give then.

Mr. DANIEL. The Senator said they ought not to give figures. He encourages them to keep silent. If he insists that they shall not give the figures of the cost, and the figures of the Secretary of the Navy are no indication, does he mean to advise the Senate that it should appropriate money blindfolded?

Mr. HANNA. Oh, no; I do not mean anything of the kind.

Mr. DANIEL. What business principle would the Senator recommend that the Secretary of the Navy or that we should adopt?

Mr. HANNA. I would not attempt to dictate to the Secretary of the Navy. With that Department at his disposal, with the experts there to protect the interests of the Government, he could take any course he saw fit. The people who were manufacturing armor plate three or four years ago, not knowing themselves what it cost, declined to give the figures, and if they chose at this time to give those figures, they could probably give them approximately correct.

COLLECTION OF TAXES IN THE DISTRICT OF COLUMBIA.

The PRESIDENT pro tempore laid before the Senate the action of the House of Representatives disagreeing to the amendments of the Senate to the bill (H. R. 11326) to regulate the collection of taxes in the District of Columbia, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. GALLINGER. I move that the Senate insist upon its amendments and accede to the request for a conference.

The motion was agreed to.

By unanimous consent, the President pro tempore was authorized to appoint the conferees on the part of the Senate, and Mr. McMILLAN, Mr. GALLINGER, and Mr. MARTIN were appointed.

SUNDRY CIVIL APPROPRIATION BILL.

The PRESIDENT pro tempore laid before the Senate the action of the House of Representatives agreeing to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 11212) making appropriations for the sundry civil expenses of the Government for the fiscal year ending June 30, 1901, and for other purposes, and further insisting on its disagreement to the amendment of the Senate No. 81.

Mr. ALLISON. I ask that the matter may lie upon the table until the conference report on the naval appropriation bill is disposed of.

The PRESIDENT pro tempore. It will lie on the table.

NAVAL APPROPRIATION BILL.

The Senate resumed the consideration of the conference report on the disagreeing votes of the two Houses on the bill (H. R.

10450) making appropriation for the naval service for the fiscal year ending June 30, 1901, and for other purposes.

Mr. HANNA. The report of Secretary Herbert, which seems to be the basis of the arguments upon the other side of the Chamber, closes, as I remember, with a recommendation that the price of the armor plate be left to the Secretary of the Navy; and if the recommendation as to price which he made in the report, of \$400 a ton, was fair for the harveyized armor plate, when at that time pig iron was worth \$10 a ton and it is now worth \$34, and every other article that goes to make up the cost of the manufacture of armor plate has increased nearly a hundred per cent, particularly labor, then the price recommended even by the House committee would not seem out of place if you are going to figure upon the basis of the percentage of cost announced in the report of Secretary Herbert.

In addition to that there are other items of cost as between the Krupp armor and the harveyized armor, first, because the same establishment equipped to make 5,000 tons per annum of harveyized armor could not under any possibility make more than half that amount of Krupp armor, owing to the fact that the process reduces the productive capacity one-half, and that, with all other general expenses the same, adds a higher percentage to the cost. In addition to that the royalty is double, and the cost of the ingredients which go into the manufacture of the Krupp armor, such as chrome and the additional amount of nickel, adds another \$25 to the cost.

Now, at this stage of the proceeding I do not think it makes so much difference about those items, because we are up against this proposition: Is this bill to pass at the present session of Congress or not? If it is, under at least the custom in such cases, concessions should be made to harmonize and meet the situation. I voted for the Senate proposition both in the committee and on the floor; and after it was learned that the conferees could not agree, after having had two or three meetings and separating without an agreement, I felt that there was merit in the suggestion that the matter should be left to the Secretary of the Navy, and at his discretion, if he could not buy the armor plate at a reasonable price, he should be instructed to construct an armor-plate factory.

The amendment of the Senator from Pennsylvania goes a great way toward meeting the demands of some of the gentlemen on the other side that the construction of the armor plant must be made mandatory. That is a concession from the House. So we stand without regard to price, leaving it in the hands of the Secretary of the Navy and his associates to make the contract upon reasonable terms; and certainly nobody in this Chamber would doubt that the efforts of that official would be directed to the fullest extent to the conservation of the best interests of the Government. It gives him the opportunity, if prices are abnormal today, to await his convenience, commensurate with the demands and the necessities of the construction of the war ships, as to when he shall buy the balance of the plate. It is one of the arguments of the gentlemen on the other side that we do not need any plate now except for the three battle ships, the *Maine*, *Missouri*, and *Ohio*. Very well. There is nothing in this compromise measure that forces the Secretary of the Navy to buy any armor plate beyond that required for those three vessels.

Mr. TILLMAN. Mr. President—

The PRESIDING OFFICER (Mr. PLATT of Connecticut in the chair). Does the Senator from Ohio yield to the Senator from South Carolina?

Mr. HANNA. Certainly.

Mr. TILLMAN. The Senator will recall that at the close of the debate, just before the vote on the amendment which the Senate passed, I put in a proviso that the contract should be limited to the needs of the Navy; in other words, that the Secretary of the Navy should not make any contract until he needed the armor. The House conferees are in deadly opposition to that proposition. They want it left to him to make contracts for the 36,000 tons, although it embraces the supply that will be needed for the next five or six years, so that if we should have in the meantime some new discovery by which we would learn that we could get a better armor than the Krupp armor, we would be under contract to take Krupp armor, and we would thereby be tying the hands of the Government, preventing it from getting any benefit from inventions or discoveries in the future, and fixing this price on this great contract, involving a hundred million dollars for ships and armor.

Mr. HANNA. I am glad the Senator from South Carolina is beginning to realize what has been the damage to this country in delaying the construction of our Navy by the policy pursued here year after year with reference to the armor plate; and that is a very good reason for taking it out of this body, if we can have the Secretary of the Navy take that responsibility.

Mr. TILLMAN rose—

Mr. HANNA. A few words more and I shall close. I do not care to be interrupted any more. If, as it is claimed, we can save

money by delaying the purchase of the armor plate, there is nothing in the measure that does not give the Secretary of the Navy the same privilege and opportunity. Who knows better than he when the time is ripe and the necessity occurs for the making of the contract? It is a long lapse sometimes between the termination of the short session of Congress and the convening of the next. Conditions may necessitate the earlier completion of those vessels, making it important that the Secretary of the Navy should make a contract for quick delivery at that time, before the Congress would have the opportunity to act.

There is nothing in all this proposition, Mr. President, as I said in the beginning, but a dogged determination on the part of some of the members of the committee and of the Senate that this Government must and shall embark in the manufacturing business. The Senator from Colorado threw it out as an implied threat that the Republican party was taking long chances when it advertised itself as the friend and backer of this trust. Mr. President, the Republican party—or at least I speak only for myself—in my humble judgment, the Republican party does not shrink from any responsibilities when backed up and upheld by sound business principles and policies. We are perfectly willing to go before the voters of the country next fall and submit the proposition upon any hypothesis threatened or intimated by the Senator from Colorado.

I do not believe the Republican party proposes to have the Government engage in the manufacturing business simply to please the ideas of some few gentlemen who are inclined that way. Every speech that has been made upon the other side of the Chamber through this whole discussion has plainly tended to demonstrate that every argument offered upon this floor has been purely and solely for political reasons. I am not surprised and I am not disappointed, but I do not propose to sit in my seat and rest under insinuations that any Senator on this side of the Chamber, in his vote or in what he does upon questions of public policy, is influenced directly or indirectly by any monopoly or manufacturing industry in the United States. The gentlemen who have thrown out those charges have no patent on integrity and honesty.

I will say in conclusion that this proposition, amended as it has been by the Senator from Pennsylvania, is a fair compromise of the situation, and I do believe that we would all be better satisfied when this question is removed from Congress and placed in the safe and competent hands of the Navy Department, and that we will for at least four years be free from this sort of a discussion, which only adds bitterness and stands in the way of progress.

Mr. ELKINS. Mr. President, I was very much surprised at the remarks of the senior Senator from Colorado [Mr. TELLER]. After his long public service, his conservatism, his experience in public affairs, and the gentleness and kindly disposition that comes with mature years, I hardly expected such harsh words from him. Bitter words and bitter feeling will not take the place of argument. Abuse will not answer facts and set aside business principles in this case or in any other. Senators will not be swerved from voting as they see fit and from expressing their opinion and exercising their judgment because of reckless charges and statements about robbers, political backing, and surrendering to combines, who have the Government and people by the throat as charged. I know nothing about what the combine demands or about surrendering to them, because I believe in the business of the Government being conducted on business principles. I did not know the combine had asked the Senate to surrender or had made any proposition. If the Senator from Colorado knows he knows more than I do, and if he does he is more intimate with the combine than I am.

I am treating this question from the standpoint of such light as I have before me and from the reports I have read, and I am trying to get it fixed according to some proper rule of business. I believe one way, the Senator believes on another. I respect his judgment, his ability and integrity, but I do not believe in his partisanship nor his unjust and severe assertions about the motives of Senators. In his new environment he finds he must, to keep pace with and in good repute, adopt new manners, though not so agreeable as formerly.

Let us look back and see what has been the experience on this subject. In 1897, under a Senate amendment, the price of armor plate was fixed at \$300 a ton. In 1898 the Senate and the House agreed on \$400, plus the royalty of \$11.20 per ton for Harvey armor and \$50 for Krupp armor. In 1899, let us see what the experience was. Congress went back and fixed the price at \$300 a ton, and the Secretary of the Navy advertised for 20,000 tons and did not get a bid. That is the record, and yet with these facts and the great advance in price of materials, Senators want us to fix the price at \$300 per ton or build a factory.

The House has given this subject great consideration and attention, its members have as much ability, patriotism, and integrity as the Senate members on this or any other question, and yet the amendment of the House is opposed and the amendment proposed by the Senator from Pennsylvania, on the ground that

it is a surrender to the combine. Secretary Herbert, as has been well said here, recommended precisely the proposition before the Senate, after giving the subject years of thought and attention. I accept the amendment of the Senator from Pennsylvania in the spirit of compromise, in order to get the bill passed, and not because I favor the Government owning or building an armor-plate factory.

Then, again, what was the price of armor plate five years ago? Is no criterion as to what the price of armor plate should be to-day. Everything has advanced at least 30 per cent. That is true of materials. How can the Senators who oppose this amendment hope to have any good results in the near future from building an armor-plate factory? The building of an armor-plate factory would be purely experimental on the part of the Government. Vast sums would have to be expended on new theories and methods that might fail. The present armor-plate manufacturers will not give away their secrets. The Government would have to begin anew without experience. Some of the armor-plate factories in the United States, I am told, have lost hundreds of thousands of dollars upon a single experiment. Suppose the Secretary of the Navy should lose as much on an experiment; would the Democrats and Populists here ever forgive him? Instant investigation would be the order of the day. You would hear of combines and political backing more than you have to-day, although there would be nothing to sustain the charges any more than there is to support the charges made here to-day.

Some of the manufacturers pay \$50,000 a year salary to experts. Do you think the opposition here would ever warrant or authorize or look with favor upon a proposition to pay any man \$50,000 a year for expert knowledge? No, sir. Three thousand dollars would be about the limit Senators and laymen would favor. Should the Secretary exercise discretion under all these circumstances in trying a pure experiment, he would be attacked in the first Congress that would come together. Then, again, after the factory should be completed new and better methods and inventions might be adopted and found out, and large sums would have to be expended to secure these inventions. Patents would have to be acquired. For these and many other reasons the Government should not embark in the business of building armor plate.

Mr. President, no other nation now pays for Krupp armor less than \$565 per ton. It is true that the Bethlehem Company some years ago did sell a thousand tons or about that amount or less for \$240 a ton, but they stopped sales at this price. They could not make it at a profit, as I am informed. Russia has an armor-plate factory, built upon the most approved methods, and notwithstanding that it has a factory it is buying armor plate from the United States at \$575 a ton. Russia would not pay this price if she could make or buy armor plate for less. The Senators on the other side who are opposed to the position of the House and to the amendment of the Senator from Pennsylvania want this armor plate at \$60 less than we are paying for poorer armor plate than the Krupp.

These are facts that justify some of us who have had some business experience in forming our own opinion and in expressing our judgment, and for this we are charged with being the defenders of a combine and surrendering to it. No one has said what the combine wants. I do not, for one, intend to be driven from my position on any public question anywhere, in the Senate or out of it, by any such reckless charges. I am not afraid of what the American people will think of a man who expresses his honest judgment. The Senate and the country are entitled to the benefit of the judgment of every Senator on this floor on any public question, freely expressed, and without being put under duress or charged with favoring combines. I respect the judgment of the Senator from Colorado and the Senator from New Hampshire and the Senator from South Carolina. I believe their motives are good and proper. But in differing with them I do not think I am justified in charging any improper motives or practices or the favoring of any combine. The Senator from Colorado held a seat in the Cabinet, and I say here and now that I would willingly trust him with the expenditure of a hundred millions.

Mr. President, one word more. I insist as a business proposition that leaving this matter to the Secretary of the Navy is the only correct method. Why? Because he, in the first place, is charged with the subject more than any Senator or all Senators combined. In the second place, he has in his service the best experts in the world to advise him. Experts who know or can find out the price of armor plate and what the Government should pay. Now, which is safer for the Government, to leave it to the Secretary of the Navy to fix the price, putting the responsibility upon him, or to accept the haphazard notion of Senators who inform themselves by asking the chairman of the committee about the reports and facts and then base their arguments upon what they are told or hear in the debate?

Mr. President, it is much safer to leave the matter with the Secretary of the Navy. Our information is crude and imperfect at best. The subject is a technical one. Making of armor plate is

in its experimental stages. I submit that when you limit the Secretary, conceded by all to be an honest man, to pay a reasonable and just price, it is all the limitation you ought to place upon him, and there should be no other.

As has been remarked, we have conceded another point—that if the Secretary can not buy armor plate at a price that he deems reasonable, just, and fair to the Government, he must proceed at once to do what, in my mind, is a dangerous thing, to build an armor plant. In taking this position I feel I am acting as a trustee of the great Republic and for its best interests and in the interest of building up our Navy. This seeming distrust of the Executive by insinuating in advance he might be improperly influenced by corporations is unjust and should find no place in our system and should be rebuked.

Mr. QUARLES. Mr. President, it may seem like presumption for a Senator in the back row to obtrude himself into this discussion. The learned Senators who have been carrying on this debate for five years perhaps have a prescriptive right to continue it.

But for the very reason that I have recently come from the people I take the liberty of voicing a warning to the Senate at this time. A local atmosphere has been created in this Chamber by this debate of five years which atmosphere does not obtain elsewhere. Irritation has been provoked by these zealous and eloquent speeches which does not exist elsewhere. You will look in vain among the people of America for the disturbed condition which oppresses us all here.

Go back, Mr. President, among the American people to-day, where exists a calm serenity in approaching public questions, and you will find that the vitriolic speeches which have produced such results in this Chamber have been regarded as only dyspeptic echoes. You will search in vain for any corner of this great land so remote where there lives an American citizen but what you will find swelling in his heart a pride in the American Navy and a demand that the interests of that Navy shall be respected by the people's Congress.

I want to ask Senators if there is a man in this Chamber to-day who has pride or patriotism who will deny that it is at this moment the supreme duty of this body to provide for the American people this additional navy? If so, how will you justify yourselves with the people when you go home and are interrogated by them as to why you failed to provide this navy? What will you say to them? Simply this, that "We thought it more important to protect you against trusts than to protect you against a public enemy."

There is great danger, Mr. President, that the effect which has been produced here will cloud our judgment. I remember reading of a man who became very much exasperated at the rats that had invaded his granary. He endured them until his patience ceased, and determining to get rid of the rats, he burned up his granary. He got rid of the rats, but he does not stand before the world as a wise man.

Now, Mr. President, when this proposition is brought before the Senate to leave this discretion to a gentleman who has been honored with a portfolio in this Government, what does it mean when it is charged that out of that faith and trust will grow a scandal the like of which has not been heard in this land? That can only mean one thing, Mr. President, that that trusted officer is lacking either in intelligence or in honesty.

Mr. TILLMAN. Will the Senator from Wisconsin allow me to interrupt him?

Mr. QUARLES. Certainly.

Mr. TILLMAN. I based my assertion that we were face to face with a scandal, if this proposition goes through, second to none in all history, upon the acknowledged facts testified to by the chairman of the committee, that we were at the mercy of a trust and that it had its knife at our throats. The Secretary of the Navy is an honorable gentleman, but you can not shirk it and put it off on him and claim that we are trying to attack his integrity when the Senate neglects its duty, refuses to protect the Government and hides behind the skirts of John D. Long.

Mr. QUARLES. Mr. President, that knife has been brandished before our eyes so long that the glint of its polish may dazzle our eyes so that we may fail to discharge a great and supreme duty. I am not aware that this is an exigency so that there will be any knife drawn upon the Secretary of the Navy. Has he not means at his command, certainly more than we, of ascertaining what is a fair price? Has he not under this proposition absolute discretion to purchase armor for all three ships and to reject propositions for the balance of that contract? Certainly he has. If he finds that the price is too high he may conclude under his discretion to build three ships and decline to build any more until he can again confer with Congress.

Now, I should like something besides mere general declamations here. It seems to me it is a fair business proposition, if the gentleman to whom you leave this discretion is a fair man. The Government acted through this agency up until 1897. That discretion was left with the Secretary of the Navy, as I am informed, until 1897.

Was there ever any scandal? Throughout the whole history of the Government that discretion has been reposed in this officer, and I have yet to hear that any scandal resulted from it. Why should it result now?

Mr. TILLMAN. Mr. President, will the Senator permit me?

The PRESIDENT pro tempore. Does the Senator from Wisconsin yield to the Senator from South Carolina?

Mr. QUARLES. Certainly.

Mr. TILLMAN. I will state the situation. Congress has investigated this matter for itself. The previous Secretary of the Navy and one of the committees of the Senate have gone into this matter exhaustively, and they have made a report of certain facts. Those facts are not disputed. Now, upon those facts we know that armor is being sold to us at an exorbitant rate. If we agree to pay that rate, if we put it into the discretion of the Secretary of the Navy, so to speak, knowing that his hands are tied by the main demand for the increase of the Navy and the construction of these ships, when it is our duty as Senators here to fix the price and not hide behind one man, is it not a cowardly surrender of our duty?

Mr. QUARLES. Mr. President, the zeal of the Senator from South Carolina has carried him away. He can not better have emphasized the warning that I am trying to give the Senate than by the very suggestion he has now made. Is this a proposition to pay a given price? Does the Senate commit itself to a given price under this proposition? Not at all. It leaves it to the discretion of an honored, upright man of integrity to determine what is a fair price, and then to act according to the best light and the best judgment that he can obtain through the means which he has, which are far superior to any means that this Congress has.

Now, Mr. President, I deny as a business proposition that a legislative body has any peculiar function to fix the price of commodities. Is this the place to fix the price of steel? Have we as a legislative body here any experience? We have to take the data to which the Senator has referred, and I long ago learned that that kind of data is entirely unreliable. I remember once when I was younger than I am now having listened to the siren song of an estimate which had been made in a laboratory as the basis of an investment, and my money went into that investment on that laboratory proposition, but I never saw a dollar of it afterwards.

We have got to depend upon that kind of data and that kind of information; but if the Secretary of the Navy is at all worthy to have this trust and discretion reposed in him there is no possible chance for a scandal. I appeal to the Senate that now at this stage of affairs the question is not what we would wish, how we would shape this measure if we could. The simple, plain proposition is, Are you going to let the bill fail because we can not have it exactly as we want it? That is the proposition, and I say for one, Mr. President, I can not consent to let the bill fail. I am willing to vote for the amendment of the Senator from Pennsylvania [Mr. PENROSE], although I would prefer to see it in another way. But I dare not assume the responsibility of going back to my people and saying, "I discharged my mandate to obtain a navy by turning around and fighting a trust."

Mr. TILLMAN. Now, will the Senator allow me?

The PRESIDENT pro tempore. Does the Senator from Wisconsin yield to the Senator from South Carolina?

Mr. QUARLES. Certainly.

Mr. TILLMAN. The policy of our Government in its public purchases is to advertise for bids, and it is supposed that the Government is protected against extortion or unfair prices by competition. It is acknowledged, testified to by two Secretaries of the Navy, that in this instance we have no competition. We are therefore face to face with surrendering to the demand of a monopoly, and then leaving it to the Secretary of the Navy to endeavor to induce that monopoly to reduce its prices. We say John D. Long is an honest man; he has experts; we will turn this over to him; let him determine what in his judgment is a fair price and pay it.

If the Senator will read the documents that have been furnished here and the interrogatories that were propounded by the Naval Committee, he will find that John D. Long himself testified before the Committee on Naval Affairs, and turned to Admiral O'Neil to bear him out, that \$300 was the cost of armor. Furthermore, in his last report he stated that he thought we had better pay \$45. As Secretary of the Navy he is anxious to have these ships put under contract and constructed. The entire Naval Committee of the Senate wants to have them constructed. The blame, if blame shall rest anywhere for the failure to have those contracts let, will be upon the House of Representatives for refusing to give some means by which we can have a fair and reasonable compromise on this subject and take it out of this Chamber and settle it once for all.

Mr. QUARLES. Mr. President, we have heard that one thousand seven hundred and fifty times.

Mr. TILLMAN. And it makes no impression! It would take a diamond drill to make an impression on some men.

Mr. QUARLES. Yes; there are some men who are not amenable to impression under any circumstances. But, Mr. President, if under this proposition the contingency arises which my good friend from South Carolina suggests, then it becomes the duty of Mr. Secretary Long to build that plant, and there are \$4,000,000 appropriated for that purpose.

Now, what right has the Senator from South Carolina to say, by inference or implication, that Secretary Long would not be alive to the necessity of that emergency? If he can not get armor for a price that he thinks is just, it becomes his duty to build a plant, and we furnish him the money. Can any man suggest any motive that would lead Secretary Long to go astray on that proposition? It comes right back to the proposition I started with in the first place. If he is an honest man, if he is an intelligent man, he knows what the will of this Senate is. He has heard its debate; he has heard its deliberate judgment passed here by a very large majority. I say, Mr. President, that debate will enlighten his conscience and his judgment, and the Senate need not fear that he will ever pay a sum larger than \$45, which has practically been fixed, as a matter of sentiment at least, by the Senate as the limit of the price of armor.

Mr. HAWLEY and others addressed the Chair.

The PRESIDENT pro tempore. The Senator from Connecticut.

Mr. HAWLEY. I will yield if we can have a vote, otherwise I should like to say a few words.

Mr. MONEY. I should like to be heard on this subject.

Mr. PENROSE. I trust the Senator from Connecticut will have an opportunity to be heard.

Mr. HAWLEY. Mr. President, these days are not very happy ones, it seems to me, to those who love their country. We have had a deluge of declamation about indirect or direct charges of fraud against everybody, the business men, the Administration, against each other. We are freely told here that those who advocate this, that, and the other form of legislation on this subject are seeking to create corporations which may be levied upon for a heavy contribution for political expenses, and all that sort of thing.

It is a very unhappy condition. The temper and language are poisonous and ruinous. We are teaching all the young men of the country that even able men and leaders in the Senate are charging the Senate and charging the Government with corrupt motives. I protest against this villainous pessimism. The majority of mankind are honest. The majority of Americans love their country and would serve it honestly, not only in matters of finance, but on the battlefield. That is what the American people are, and we can trust them. If we do the right thing without fear or favor they will soon find out what sort of men we are; but if we continue to teach the young and the old that all things are corrupt I can not imagine anything more dangerous or more treasonable.

Now, I am not quite an ignorant man in this matter of armor and of heavy guns, etc. The RECORD will bear witness that I have been interested in it for fifteen or eighteen years; that I was chairman of a committee that was directed to inquire into the facilities and capacities of the country in matters of iron and steel and the making of armor and of heavy guns. I spent nearly two years upon it and reported an octavo volume, which is one of the prides of my life, with kind regard to the Senator from Alabama [Mr. MORGAN] who was with us on that committee. I refer to that book that we may see what information we collected.

We visited during that year or two all the large steel manufacturers in the country, those that were dealing in the largest pieces of iron and steel, and examined them as to what they would dare to undertake in the matter of armor and guns. I say we visited all the prominent ones. I might say that I was at the birth of the Bethlehem works, strongly sympathizing with those men and encouraging them to believe that if they would put up a plant the country would give them reasonable contracts, and we would be unable to do anything without them. I visited, in conjunction with one or two of the committee—one of them was our distinguished military friend from New Jersey [Mr. SEWELL]—some of the leading establishments of England, the great establishments at the time of Armstrong & Co., Brown & Cammell, and of Whitworth and others at Sheffield, not as a mere matter of circus curiosity, but that we might talk with all those eminent and able gentlemen and get from them something to put in our report. I do not come to this matter altogether ignorant.

I am extremely sorry to see the heat that has been developed by this debate. I am satisfied for myself to vote for the proposition of the Senator from Pennsylvania. I think it the safest. Mr. Long, acting in this matter according to the discretion proposed, would have around him all the ablest men in the matter of ordnance and shipbuilding in the United States, men who would give him honest, sincere, candid advice and information; and he is capable of making up the syllabus, as the law reporters say, of all this information. He has the honor, the honesty, the patriotism

to do exactly the right thing as God shall give it to him to see the right. I have no question about that.

Then, if we can not have a reasonable bargain made with these manufacturers—I believe there can be—we shall be obliged to resort to a Government plant. I dread that. Other governments have tried matters of that sort, building independent plants, and forming partnerships, as it were, with private concerns. Great Britain sold out one of her partnerships and abandoned that business. I am told there is only one country in the world that has a government plant. I believe that armor obtained from a Government plant will be the costliest that can be found in the world.

Mr. BUTLER rose.

Mr. HAWLEY. No; the Senator has spoiled enough speeches at this session.

Mr. BUTLER. I would certainly spoil the Senator's if I got in.

Mr. HAWLEY. I was endeavoring to prophesy as to what it would cost to build a Government armor plant, an independent plant, not that of an ordinary manufacturer. If the Government builds one and you detail a lot of young Navy officers or military officers to go there and conduct that business, you can not expect that they will immediately understand it. It takes years to do this fine work. It takes years to fit men to be put in charge of the building of the great, grand, costly machinery and the machine tools that must be found in those establishments. Men have to be educated to it. Our Ordnance Department has made it the practice to send a man for about ten years on the business of inspection, and before the ten years are out, putting another man a little younger in there that he may learn from the older man and that he may be fitted to succeed him.

I will not dwell on that which every business man will testify to. I shall be extremely sorry if we do not accept this proposition. I believe it is the best thing and the safest thing, and I do not myself see any chance of danger in it whatever. I shall vote for it with great pleasure and with some hope.

Several SENATORS. Let us vote.

Mr. MONEY. Gentlemen, do not be impatient. I shall not detain you long on this proposition. We have heard more speeches on the other side of the House for that cause and only one in behalf of those who favor the establishment of a Government plant.

I have been a little reluctant to enter into this debate, and I have not done so before on account of the temper which gentlemen complain of. I never willingly affront anybody, and I do not intend to do so, and I am very unwilling to be affronted myself, and I will not be affronted.

In this matter I myself have some little knowledge. I was a member of the House Committee on Naval Affairs that investigated one of the two plants, but both of them may be considered as one, because they are a trust or combine or whatever you choose to term it. The report of that committee shows conclusively that very extensive frauds were practiced in the manufacture of armor plate.

Successive Secretaries, of both political parties, after thorough investigation, aided by the experts which the honorable Senator from Connecticut said the Secretary has at his command, have reported time and again that armor can be made at a profit for \$300 per ton. In the establishment of a Government plant the agency which can be controlled by the Secretary of the Navy will be employed. We have our own committees who have made certain investigations and who have arrived at certain results.

No gentleman need to assume that the voices of the American people are not heeded in this Chamber. He must be a tyro if he thinks that the statesmen here are not sufficiently politicians also to listen to the voices from behind them at home. Every Senator here has regard to what the people think and do in his State. Therefore no one need to be under any apprehension that any Senator is going to ruin himself by any position he may take on either side of this question.

We have heard a great deal of talk here about sound business principles; but is it a sound business principle that a government which is the only customer of an agent which it has created for the manufacture of something indispensable for its national defense can not know what the article sold has cost, in order that it may determine what shall be a fair profit?

I am one of those who, from convictions long since formed and strengthened as time proceeds, have believed that the Government should not engage in industrial enterprises of any kind where private or corporate industry or enterprise can do as well. But we have an instance here in which we are driven into the manufacture of armor plate if we listen to our own interests.

The Senator from Connecticut said that there was going to be a great deal of cost about a plant. We know pretty well what that will be. It will be about \$3,000,000; not more than that. He says it will be put in the hands of raw men; that experts will not be admitted. As the result of the investigation made by the honorable Senator from Connecticut against the protest of the gun

makers and the same argument in their behalf that he has used here to-day in behalf of armor-plate manufacturers, we established our gun factory down here at Washington, and the result is that we are making the finest guns in the world, and we are making them cheaper than anybody will sell them to us for. So that argument will not do in the light of experience, for the experience has been furnished us by the Senator himself by his action.

Mr. President, as a matter of fact, almost everybody in the Carnegie works, from the superintendent down, appeared before the committee, and the evidence has been printed to the world, showing that fraud has been committed in every single process from the time the steel ingot came from the furnace and went under the hydraulic press and was Harveyized and was then made ready for fitting to the ship's side. All that knowledge was concealed from those expert agents of the Secretary of the Navy you have heard so much about this morning, who were there day after day and did not know what was going on in that factory. They permitted themselves to be imposed upon so that the whole process of the manufacture of armor plate was totally misrepresented to them.

The frauds did not stop there. They went down to Indian Head, the testing ground. In making armor plate the plate is always cut in two pieces. The bottom plate is more tenacious by the settling of certain ingredients of the metal, and in the test at Indian Head the bottom plate received the ballistic test for a group of top plates, and upon the strength of the bottom plate the top plates were received by the Government. A top plate should, of course, have received a ballistic test as the representative of the group of top plates. So the fraud went on from the very beginning to the very end, and now we are told that it is going to be very expensive, that it is yet in an experimental stage.

The Senator from West Virginia [Mr. ELKINS] has just said the Department spent a million dollars upon an experiment which was a failure. The Secretary of the Navy, the very gentleman who has all these experts at his command, who has all this knowledge, who has taken so much time and expended so much money to acquire this information, and who is to determine what is the best price to pay, making allowance for all these experimental failures, says there is a profit in making armor at \$198 a ton, allowing 50 per cent for wear, tear, deterioration of the plant, interest on investment, etc., and concluded that \$300 was a fair price.

What can the present Secretary of the Navy do more than his predecessor? When Mr. Secretary Herbert imposed a large fine upon the Carnegie Company, on the proofs of fraud, what was done then? The fine was, after great pressure, partially remitted by the President, and on what account? There has been no publication of that fact; but because, as I understood at that time, and believe now, the President thought this company had incurred certain expenses in the experiments, and this remission was in some sense to recompense them for those expenses.

This talk about not getting all the experts you want and all the builders you want and all the men you want is silly. That is the only word that will express the idea. We know very well that we can furnish all the men that are necessary to do this work if we choose; all the men in the Army and all the men in the Navy and all the men anywhere and everywhere to build anything the Government wants to build. We are not so impoverished for skill in the arts and sciences that we can not command whatever we choose to have and obtain the best there is to be had.

The proposition I object to is not particularly that, but I want to say that I never in my life have failed to vote always for the upbuilding of the American Navy; and I am for it now to a reasonable point, which we have not yet reached, but I am opposed to the idea which has been set forth here repeatedly this morning, that this Senate is an incompetent body to do the business for which it was organized by the Constitution.

I do not believe in imperialism. I do not mean by using the word "imperialism" to use it in the sense in which it is used by the newspapers of the day, but I dissent from the idea which has been positively advanced here that this ought to be an imperial government, and that the Secretary of the Navy and his officers are the men who know it all; that they are the only people who can command experts, and the only people who can acquire knowledge enough to determine what shall be the price that the Government shall pay. It is the logical and imperative conclusion of this argument that the Secretary of War might name the number of men he would like to have in the standing Army, and what amount he should pay to the rank and file and to the commissioned officers. You can leave the whole thing to the Cabinet officers, if you choose, but when you do it, in my judgment, you change the whole spirit of our institutions.

I for one believe the Executive has been too much aggrandized. Every war that has come has strengthened it; and so even in times of peace it is sometimes thought that the wisest thing for us to do is to abdicate the powers conferred upon us by the Constitution and repose them in a Secretary, who does not hold his

position by virtue of an election by the people, and who has no special knowledge of the business of which he is placed in charge by the President.

We have lawyers everywhere; lawyers running the Navy; lawyers running the Army and running everything else; and a lawyer is at the head of a Department, upon whom we are to rely. Is his ability so much superior to ours that we should abandon and shirk the duties which belong to us alone?

I believe the Senate and the House of Representatives are quite capable of dealing with this question and that we know more than any Secretary. We have our committees, which are the eyes and the ears of Congress, who receive information from the various Departments of the Government, so far as the information goes, to determine what we shall do in matters of this kind and how much we should be called upon to pay.

The proposition which is presented to us to-day is twofold—first, leave everything to the Secretary, and next, that we shall permit this trust—there is no other name for it; it is not anything but a combine—to control us.

When the Carnegie works failed to get a contract for armor plate from the Government a few years ago, and we contracted with the Bethlehem works, they gave a part of that contract to the Carnegie works in order to secure cooperation and promote their interests.

I do not accuse any gentleman here; I will not do that, because I would not allow anyone to put any such charge upon me, and I show that respect for others which I always demand for myself. I accuse nobody here of any ulterior purpose whatever, whether personal or political, but I do say it is not only an unwise thing, but it is a thing that we are not permitted to do—to abdicate in favor of anybody. The other proposition is, Shall we be made to pay \$545 a ton for armor, the sum proposed by the other House that we shall pay for the armor plate, for three ships now in course of construction? The proposition made by those who support this on the other side is to permit the Secretary of the Navy to say whether he will pay it or not; in other words, getting into the imperial system of Great Britain, which simply makes appropriations of lump sums for a programme of five years, and leaving the Board of Admiralty to expend that money in battle ships, cruisers, torpedo boats, or anything else it pleases, without reference to the wishes of Parliament, which does not interfere, and Parliament is content to vote hundreds of millions of dollars for the building of a navy, not caring anything about the details of the expenditure. They say they want so many battle ships, so many cruisers, and so many torpedo boats; and so the legislative branch of Great Britain leaves the matter in the hands of the Admiralty Board, and simply votes the sums needed. We have not that kind of a Government. We here in the Senate are simply representing the States, and the members of the House of Representatives the people; we are representing the people who pay the taxes to build our ships and to build this armor, and it is our duty to protect them.

If the honorable Senator from Wisconsin [Mr. QUARLES] thinks that the people behind us at home are indifferent to these facts, he will find when he gets home that he is nearly as much mistaken as he thinks we are about the sentiments of the people we represent.

Mr. President, we have here a proposition, as I said, to permit this thing to go on. I say that this trust has no right to withhold information as to the cost of producing armor plate and that it should be disclosed. We are entitled to know it. I differ with the honorable Senator from Ohio [Mr. HANNA] upon that point. He is very much more familiar with business and with these interests than I am. I am not a business man; I have not got very much business sense; but I know a proposition when I see it. When a plant is built under the fostering care of this Government, and we are the consumer of its product, we have the right to know what it costs to make it, more especially when these two companies stand combined in one trust.

They see the embarrassment which is now placed upon this Congress in its closing hours; they see the difference which exists between the House and the Senate and the difficulty the Secretary has in his struggle to secure armor plate at a proper price, and he himself has testified that \$300 is the proper price. If that is not the proper price, why would they not allow us to see their books to ascertain it? I venture to say that both the Carnegie and the Bethlehem manufacturers know the fact that if they would produce their books and could show that \$545 a ton or \$600 a ton or \$700 a ton gave but a fair profit upon their labor, the investment, and the interest upon their plant, they would get that price for their armor plate; but they do not show their books because they know, and I believe everybody here knows, except some few gentlemen who have declared their ignorance, that they are not making any loss at \$300 a ton.

We do not treat with these people as though we were simply treating with competitors in the open market, as if we were buying shoes for the Army at wholesale, or buying blankets, or any-

thing of that sort. We are negotiating with one single concern, having an article which it is absolutely necessary that we should have.

The question is whether we shall contract for the armor to be built for these three ships at the price we can get it, whatever it may be, and whether we will pay whatever is fair and necessary to do it until Congress can further investigate this matter. A better plan would be to determine that we shall have an armor plant owned by the Government to do its own work.

Some three or four years ago, when the question of locating an armor plant was being considered by the Secretary of the Navy, I placed on file in his office a letter recommending a place where limestone, coal, and iron were found in close juxtaposition. We can find such a place, and armor can be made cheaper there than elsewhere; and I believe armor can be made far more cheaply by the Government than it will cost us if we accede to the demands of the trusts. If we surrender to this trust, we might just as well surrender to any other trust, and go forward on the assumption that we can not resist it in any time of emergency that will demand prompt action.

So, Mr. President, without any passion about it, without any temper whatever, without any imputation upon anybody, personally or politically, I think we do an unwise thing whenever we surrender to this trust in any degree. I care not if we should profit by the surrender; we can not afford to do it. We can not afford to have any corporation or any trust to say to the United States: "You shall do this, or that, or the other, or you shall not do it."

We must assert our independence in everything that is under the flag; we must not permit anybody to have the power to compel us to do this; and because we have three ships building and other ships authorized to be built is all the greater motive for pressing their claims, and the greater reason why we should resist them. I would not give them any contract. As to the three ships, so far as I am concerned, I do not think we shall have any immediate use for them; at any rate, not in a very short time; but for the three ships I am willing to pay these men their price. Surrender to the footpads what you have about you, reserving, however, what you have at home.

Therefore, Mr. President, I think that we should provide for the building of a plant; and, above everything else, that we should not delegate to any officer of the Government the right and the duty which is devolved upon us to make provision for our Navy.

Mr. THURSTON. Mr. President, for five years in the Senate I have followed the leadership of the Senator from New Hampshire [Mr. CHANDLER] in the effort to secure reasonable prices for armor plate. With my voice and my vote I have stood for every proposition to build a Government armor factory. I believe in the proposition that this Government ought to have its own armor plant. But these are not the questions now before the Senate. We are just at the close of a session. The supreme question now is not the price of armor plate. The supreme question is the construction of our Navy.

The time has been when it was well for the people of this country that a naval appropriation bill had not failed; and the day may come, God knows how soon, when we may need another Oregon to encircle the globe and destroy the fleet of our enemy.

We are in a deadlock with the other body of Congress. I have no pride in my own opinion that it should not yield to some extent to the wisdom of all. Everybody knows more than anybody. The wisdom of the majority is safer than the individual opinion of any one man.

Mr. President, we have come to a point where we must compromise or we must lose this appropriation bill. All legislation is compromise. It is the very purpose of a deliberative body to compromise the views of all and to crystallize those views into the wisdom of the whole. If I thought that we could secure an unconditional appropriation for an armor plant, I would stand here to the end of this session in the effort to do it; but I see, or at least I think I see, that that is impossible at the present time.

The present proposition is this: To give to the Secretary of the Navy the discretion to buy armor plate at a fair and reasonable price. I am sorry to see that entire discretion placed upon one man; and yet I have no doubt, nor have the American people any doubt, that the man who directed the navies of our country to the grandest victories of the ocean will be a safe man to trust with the fixing of a price for armor plate for the next year under this appropriation bill.

I believe the present proposition before the Senate is better than the one we sent to the House of Representatives. I did not like the limit of \$445 a ton. I believe in a lower limit. I should prefer to leave the discretion absolute, if I had my choice between the two propositions, rather than to leave it where the Senate left it, at what I believe to be an excessive price. I do believe under this provision, administered by the present Secretary of the Navy—yes, or by any other Secretary of the Navy, whatever party is in

power—we shall either secure armor plate for our ships at a reasonable price or we shall have an armor plant constructed and operated by the Government of the United States.

Mr. DANIEL. Mr. President, I ask that the amendment proposed by the Senator from Pennsylvania [Mr. PENROSE] may be read.

The PRESIDENT pro tempore. The amendment will be read. The Secretary read as follows:

That the Senate recede from its amendment number 58 and agree to the House amendment to the same with the following amendment:

"That the Secretary of the Navy is hereby authorized to procure by contract armor of the best quality for any or all vessels above referred to, provided such contracts can be made at a price which, in his judgment, is reasonable and equitable; but in case he is unable to make contracts for armor under the above conditions, he is hereby authorized and directed to procure a site for and to erect thereon a factory for the manufacture of armor, and the sum of \$4,000,000 is hereby appropriated toward the erection of said factory."

Mr. DANIEL. Mr. President, I shall state, as briefly as may be, why I shall not support the amendment which has been offered by the Senator from Pennsylvania.

I believe with the Senator from Nebraska, who has just spoken, that everybody knows more than anybody, and I beg leave to call his attention to the fact that within a few days past this body, with an unanimity unknown in any other controversy here, has expressed its opinion in a manner exactly opposite to that which he now advocates. Tested by the principle which he invokes, we are right in standing up to the fight, which has been on for five years past.

I believe with the Senator from Connecticut, that the majority of men are honest; but, while it may be treason to say so, I do not believe that the men who left blowholes in the armor plate which they wished to sell this Government are models of that virtue, or that to them or to anyone should be confided without reserve the interests of this great people.

The Senator from Wisconsin, who spoke a while ago, said that he had heard of a man who burned down a barn in order to catch a rat. I do not know of anyone on this side who advocates such a plan; and I beg to say that, while his device for rat catching may be a very fine one, there are other simpler methods known to every man of business.

Mr. President, I do not believe that the Congress of the United States should follow the advice of the Senator from West Virginia, and turn over these subjects, which are proper matters of legislation, to the Cabinet. I do not question the high integrity and character of the Secretary of the Navy, but if there be any reproach, such as intimated by the Senator from Ohio, that the lawyers in this body are too profuse of their opinions, I beg to say that the present Secretary of the Navy and his predecessor and the predecessor of both of them were all lawyers; and they do not, so far as their business experience is concerned, have any item of history that entitles them to any greater consideration than the lawyers who are now in this body.

It is well in all cases to look at the facts which are known in order to arrive at conclusions as to those which are unknown. Let me call the attention of the Senate to the plain matters of fact that now exist before us. It has been declared to the Senate by the official reports of the Secretary of the Navy of an antecedent Administration, which are recognized to have been able and honest, that the armor-plate factories were charging or seeking to charge this Government an exorbitant rate for the article furnished. It has been declared in this body during this debate—I believe by the Senator from Nebraska, who has just spoken, but certainly within my hearing by the Senator from New Hampshire and by the junior Senator from Massachusetts—that these organizations are demanding of this Government more than the article which they seek to sell us is worth.

It is an equally notorious and admitted fact that this is a monopoly with which we are seeking to deal. It is known of all men that there are but two armor-plate factories in the United States. It is stated in the reports which have been made to this body for our information that these two are in combination. It is known that there is no open market in which we can bid; and it is equally known that we have got, as matters now stand, to buy this armor plate from a recognized and notorious monopoly—proclaimed by Senators of all parties to be demanding of us more than the article is worth—or to fall back upon the vast resources of our country and defend ourselves.

The Senator from Ohio and the Senator from West Virginia are very frequent in their calls upon this body to apply business principles—business principles, business principles, business principles. That is what they from day to day, with tiresome iteration, hurl into our ears. But when you ask them what are the business principles which they would recommend, they are as silent as the armor-plate manufacturers themselves when asked what their article costs. What is there so mysterious about "business principles" that the Senator from West Virginia can understand or the Senator from Ohio can understand that other honorable Senators of the United States can not understand?

Mr. President, "business principles" have never taught me that the buyer should place himself at the mercy of the seller, and business principle has never taught me that a man should employ an agent to do anything for him that he can as well and as intelligently do for himself.

Let us see, Mr. President, into what a helpless condition the business principle of the Senator from Ohio would drive us. An investigation of this topic was once made by a Secretary of the Navy. Experts testified in that case, and the best wisdom that this Government could command in its service contributed its store of knowledge for public information, and a report was made to this body which has been the base from which the ideas have emanated in this strife for the public weal that has been conducted. There was one element in that report which was lacking. The armor-plate manufacturers refused and declined to tell this Government what was the cost of the armor plate.

Here let us ask ourselves certain natural and common-sense questions. Why did the armor-plate manufacturers decline to tell the cost of an article which they wished to sell?

Mr. PENROSE. I can answer the Senator now, if he wants me to.

The PRESIDENT pro tempore. Does the Senator from Virginia yield to the Senator from Pennsylvania?

Mr. PENROSE. With so much reckless misstatement and demagogic appeal I have hesitated to interrupt Senators—

Mr. DANIEL. I decline to yield to the Senator.

Mr. PENROSE. But I want to take a moment now on this matter.

Mr. DANIEL. Mr. President, I decline to yield.

The PRESIDENT pro tempore. The Senator from Virginia declines to yield.

Mr. PENROSE. All right.

Mr. DANIEL. I will not be interrupted by any gentleman who approaches me with any such language. I consider it is very unbecoming to him, and unbecoming to the Senate.

I ask the question, Why did the armor-plate manufacturers decline to tell the Government the cost of the article? Evidently they consider it for their interest not to answer. The Senator from Ohio [Mr. HANNA] said that they were right not to answer; that they were right to conceal from this Government what was the reasonable cost, and consequently what would be the reasonable price of this article. When I asked the Senator from Ohio what sources of information the Secretary of the Navy would have, if we confide this authority to him, that we do not possess or that are not accessible to us, if the factory men would not answer, he said they could ask experts. Mr. President, that is just what has been done. Experts have been asked, and the only information that is obtainable upon this subject has been embodied in a report, and that report has been basic to this contest.

So if now the Senate should reverse the action that it took but a few days ago we are in this attitude, that the armor-plate manufacturers will be silent and refuse to answer, they will know that Senators upon the floor of the United States Senate advise them to keep silent. The Secretary of the Navy will have no source of information upon this subject that has not been all along accessible to that Department and to us, but an appropriation of public money will be made, and he will be impelled by the loud cries which are made here and elsewhere to surrender to the armor-plate factories upon the ground that a public enemy requires that he shall hurry up and build the Navy and can not wait until next December therefor.

Mr. President, the United States has no public enemy that I know of. We are at peace with every independent nation of the world. We have no question with any independent nation of the world that seems to be brewing war. We are building coast fortifications; we have an addition to our Navy in the course of construction; and I can conceive of no public outcry more disparaging to the power and more detrimental and disastrous to the interests and the dignity of this nation than to have it proclaimed in the Senate of the United States that we are in perpetual emergency and that we can not wait for December to buy armor plate for an ironclad vessel, even in these halcyon days of profound peace.

There has never been a day in the history of this Republic when its people were more at peace with themselves than they are now. There are no Indian tribes upon our frontier to alarm us. We have no neighbor, either north or south, except one of perpetual and continual friendship and of inability to harm us. We have a prestige among the nations of the world that would make any nation dread to pick a quarrel with us; and yet the profound peace at home and abroad is to be broken, and alarming and panicky cries are to be given forth to the public, and the Senate on business principles is to be invoked at the last hour of its session to reverse the view of business principles that it took three days ago and to overrule the unanimous judgment of this body.

Copy English doctrines, said the Senator from West Virginia a few days ago. There they make enormous appropriations in

bulk and turn them all over to the cabinet ministers and hold them responsible. I beg leave to say to the honorable Senator from West Virginia and to those who concur with him that no recent experience in lumping appropriations, whether for the World's Fair in Paris or for anything else with which this Government is connected, has won for that system any additional favor. According to my judgment, it is the loosest and most improper form of appropriation, the one most liable to be abused, and the one which, even under the utmost care of honest officers, it is very difficult to keep from being abused. Specific appropriations for specific purposes, with the amount named and the purpose to which they are to be applied, these are the great life-preservers of the Treasury.

It is my impression that the swelling hearts of American patriotism which greet the ideals of a great navy so greatly to the edification of the Senator from Wisconsin will find many large offsets in the shrinking pockets of the same patriots before they get through paying the bills which this Congress has imposed upon them. I do not believe that the American people are so unintelligent, nor do I believe that they are so indifferent to their interests, as not to care how much public money we spend, nor what we spend it for. I do not believe that they wish us further to imitate the imperialistic notions of Great Britain. An English cabinet minister may be confided in by Parliament, because an English cabinet minister is responsible to Parliament.

If that minister does not act in accordance with the views of Parliament, a vote of want of confidence will turn him out, for the English machine is in many respects more accessible and more responsible to the touch of representative and of public opinion than our own. But in our Government it is different. The Cabinet minister is not responsible to Congress save in that broad, general, and intangible way in which everybody is responsible for what he does to his whole country; and nothing could be more unfortunate to our Republic than to imitate and thrust into its institutions a scheme which suits the British constitution, which has a coordinate principle in the British constitution to cooperate with it, and which can have none in ours.

Mr. President, we have been told that the Government can not get experts at any reasonable price if we have an armor-plate factory. We do our public printing here by Government institution. We build ships in our navy-yards. We construct swords and cannon and muskets in our Government workshops; and who shall tell the United States of America to-day, when it has a monopoly demanding of it what the common information and the common sense of this body tell it is an extortionate demand, that it shall not copy its own example in other respects as to both naval and land warfare and provide itself, without extravagance, with the necessary armor of public defense?

I know that there are some private institutions in this country which pay their employees much larger salaries than any Government salaries, but let me ask this question: Can any Senator upon this floor, can any man familiar with American history, tell me of a single case in which Congress authorized a public office or a public employment and fixed a salary where there were not worthy and a superabundance of applicants? We have not lacked for expert men to build ships. We have not lacked for expert men to construct cannon. We do not lack for expert men to make muskets, and the United States will never lack for expert men to do anything responsive to the demands of an honorable and dignified public employment and to the compensation of a fair salary, such as Congress has fixed or may fix for the work.

We know, and the public know, how it is that there are many exaggerated salaries in this country. A monopoly is formed, competition is cut out, stock is watered and put upon the market, bonds are issued, and then a few men get enormous salaries, and the people are compelled to pay 33 per cent, 50 per cent, or 100 per cent more for the article. But we can not copy and we never will copy the ideals of those concerns. They are abnormal and are not consistent with any business principle.

I will say for myself that I would stay here until Christmas before I would turn over this matter without so providing as clearly to protect and defend the public interest; and I would express it as my opinion that it would be better to let the ship wait for its armor until next winter, until the winter of the next year following, than to surrender the doctrine and the principle upon which we have stood here.

As stated by the Senator from Nebraska, this is now the climax of the five years' fight. As climacteric of that fight here on June 1 of the present year the Senate expressed its judgment; and I may certainly congratulate the honorable gentlemen who have so diligently and so worthily maintained that fight that at the end of the battle the Senate of the United States unanimously concurred in their judgment and that the business principles of the Senator from Ohio were wholly satisfied.

I am not willing upon the passionate exhortation of gentlemen who have pride in the American Navy, of gentlemen who fear they may be here detained—I am not willing on any plea to surren-

der the judgment of the whole Senate of the United States to any new scheme; and whatever may be the result, I shall carry with me as the memory of this battle the pleasing reflection that this whole body has indorsed the sentiments and the principles by which we stand as worthy of their own acceptance and as consistent with the interest of the American people.

Mr. HALE. Mr. President, it is only forty minutes before 3 o'clock, and I hope we may now have a vote.

The PRESIDENT pro tempore. Is the Senate ready for the question?

Mr. BUTLER. Mr. President, I have been here during this five years' fight to which the Senator from Virginia has just referred, and to which the Senator from Nebraska referred. We have made the fight each year, gaining in the number of votes against this robbery each year. As the Senator from Virginia said, we have reached the point where not only a majority but a unanimous vote of the Senate has indorsed the principle for which we have fought, and I for one do not propose to surrender when the victory is won.

Mr. President, there is more than the price of the armor, as exorbitant as it is, at stake, but a principle is at stake. It is proposed here that the Senate shall surrender its legislative functions, transfer them to a bureau officer, and it is part of a scheme to make that a permanent thing, not only with reference to this but with reference to other legislation. The precedent is sought to be established here, and it will be permanent, if possible, with reference to this armor.

Mr. President, for the last five years the Senate has declared and the House has concurred that \$300 was a sufficient price for armor; but in order that the building up of our Navy should not stop, we have each year yielded to the trust. We have each year surrendered to them this far, that as to the ships under construction we would allow them to rob us, in order that those ships might be finished. But we have gone further and said "In the future no further contracts shall be made at a higher price than \$300 a ton." What has happened? The next year we were met with the same proposition: "Here are three or four or five more ships waiting for armor." They say to you, you can not get the armor at \$300 a ton, because the trust will not furnish it.

Now, you must surrender again this year to the trust for these three vessels, be held up and be robbed, or you will be guilty of stopping the building up of the American Navy. And again the next year we have surrendered and have passed another bill, again saying, "Hereafter we will not pay more than \$300." We have done that each year for five years, and the result has been in each year of the five years that the armor trust has held us up and got every dollar that it wanted for every pound of armor we bought. How much longer are we going to pretend to fool ourselves and attempt to fool the country with any such monkey business as that?

Mr. President, it is unworthy of this great legislative body so to trifle with this question. Why is it that we have been held up each year? Simply because we have made the mistake each year, after we fixed the price of armor at \$300 a ton, of not going a step further and saying that if the Secretary of the Navy could not get it at that price he should build an armor plant. I offered that amendment five years ago. It was voted down. It has been offered each year since. We have unfortunately failed to adopt it. If that amendment had been passed five years ago, we would have got every pound of armor we wanted at \$300 a ton or we would have a plant of our own. The plant would have been finished three years ago and been in working operation now and for the last three ready to turn out the armor as fast as we wanted it for the Navy, and not only armor, but the best armor in the world, and without blowholes or plugs in it.

Shall we continue this costly and humiliating mistake? Do we want to continue the mistake because we want to continue to let this trust rob the Treasury?

It is proposed now to go even further than we have gone before, and not only to submit to be held up for the three vessels now under construction, but to turn the whole matter over absolutely to the Secretary of the Navy and let the Government through him be robbed for the rest of time without any limit. There is no use for us to try to fool ourselves about this matter. We owe a duty to ourselves and to the country. I want to see the Navy built up. I want to see this country have the biggest navy in the world. I want to see it with a navy that can whip the navies of the world; but that is not all I want. I do not want, while you are doing that, at the same time to license greed to put its long and felonious fingers into the pockets of the people of the United States and rob them continuously and without limit. It is not necessary to do that to build up the Navy. When we were at war with Spain I submitted to this robbery, as infamous as it was, because I was willing for the country to submit to robbery if it were necessary while we were facing a foreign foe, in order that we might equip every battle ship necessary.

If we were at war to-day, I would say surrender to them again

if necessary to get the armor we need for the present. But, as the Senator from Virginia has said, we are in a state of profound peace; the world has respect for our prowess. The combined nations of the world could not invade our shores and conquer us if we did not have a single battle ship. You might sink to-morrow every battle ship and cruiser we have, and all the nations of the world would not dare to march their armies upon our soil.

Mr. President, I can not allow this matter to pass without again putting into the RECORD and calling to the attention of the Senate and the country the official facts that prove the extent of this robbery. Do you say turn it over to the Secretary of the Navy to investigate? We have had it investigated. Both Houses of Congress have investigated the price of armor. The Secretary of the Navy has investigated it, and here is his report. What does that report say?

The cost of a ton of armor includes the following items:

Material in ingot	\$30.10
Materials consumed in manufacture	56.75
Labor	43.50
Keeping plant ready for use	9.80
Shop expenses	2.30
Office expenses and contingencies	3.34
Administration, superintendents, and engineering	21.40

That is everything that goes into a ton of armor except nickel, which is about \$18 or \$20 a ton. What does it amount to? One hundred and sixty-seven dollars and thirty cents a ton.

Now, what is to be added to that to get the complete cost of armor? Add \$20 for your nickel, and you have got \$187.30.

I ask any Senator who thinks that we ought to pay the price this trust asks to name any other expense or item that should be added to this armor. There are the expenses. There are the necessary ingredients, including labor, including all the materials, including contingencies—which covers the spoiled plates—including the pay for superintendents, including the pay for keeping the plant ready waiting to work when they have no orders, including incidental shop expenses, including office expenses and contingencies, including administration, superintendence, and engineering, including all the materials consumed in the manufacture of a ton. What else ought to be added? There is the result of an official investigation by the Navy Department.

I again call upon any Senator in this Chamber to name a single item that ought to be added to that list of expenses. Where is the business proposition of the Senator from Ohio [Mr. HANNA] and the Senator from West Virginia [Mr. ELKINS]? I wish they were here. Probably they could suggest what item can be added to that. There is one more that Mr. Carnegie claims should be added. Here is his letter to the Secretary of the Navy. What is that item? On page 50 of this report is the letter from the Carnegie Company to the Secretary. Mr. Carnegie claims that they ought to be allowed 5 per cent in addition for the maintenance of the plant, which he says would be \$150,000 a year, inasmuch as the plant had cost him \$3,000,000. The Secretary says, however, the plant did not cost more than one and a half million dollars, and the Secretary says that 5 per cent, if counted at all, ought to be counted on a million and a half instead of \$3,000,000. But Mr. Carnegie claims it ought to be 5 per cent on \$3,000,000.

Now, what is 5 per cent? It is \$150,000 a year, that they say that we should pay them for maintenance. If you divide that by the number of tons of armor we buy, how much would it add to each ton? I wish to call the attention of Senators to this because Mr. Herbert added this on to the cost of armor when he said \$400 was a good price and a big profit. Mr. Herbert figured it this way: He says they claim \$150,000 a year for maintenance. He says then we must divide that, if we allow it, by the number of tons of armor we give them each year to make. How many tons did he figure that year we would give them? Here it is. He figured that that year we would give them 2,500 tons. Therefore he divided \$150,000 by 2,500, and he got what? Sixty dollars a ton. This, he says, must be added to the cost of each ton of armor, so they will get the \$150,000, there being but 2,500 tons of armor ordered. So this \$60 per ton was included in the \$400 estimate.

How many tons are in this bill? Suppose we admit everything Mr. Carnegie claims—that is, that in addition to the \$187 a ton he ought to have 5 per cent for maintenance. That is \$150,000, even if we admit that his plant cost \$3,000,000, while Secretary Herbert says that it is not worth more than \$1,500,000. Besides, Mr. Herbert says on page 81 of his report that we have paid above a fair profit enough already to more than pay for the plant. How many tons of armor are provided for in this bill? The 3 battle ships already authorized alone, to say nothing of the 14 war ships in all provided for in this bill, would make 9,000 tons of armor. Divide \$150,000 by the 9,000 tons, and what do you get? Sixteen dollars a ton would be all we would have to add to the \$187.30 a ton with this big order. That would be \$203 a ton. So when Mr. Herbert added \$60 a ton in order that they could get

the \$150,000 for maintenance, we would have to add but \$16 a ton with this big order; and when we count the whole 14 vessels, it would not be more than two and a half dollars a ton. That makes a remarkable difference. It reduces Mr. Herbert's estimate at least \$50 a ton. So on a 9,000-ton order, according to Mr. Herbert's estimate, the price should be only \$150 a ton.

Mr. HANNA. Mr. President, will the Senator allow me a question?

Mr. BUTLER. Certainly. I am glad the Senator has come in. Mr. HANNA. If the capacity of the works is 2,500 tons per annum, and they manufacture 9,000 tons, it would take them about four years to make it. So the figures are not correct.

Mr. BUTLER. The Secretary did not say that their capacity was only 2,500 tons.

Mr. HANNA. I will state that at that time that was the capacity of their works.

Mr. BUTLER. What is their capacity now, I will ask the Senator?

Mr. PENROSE. I can inform the Senator that the capacity of those establishments is under 2,000 tons annually.

Mr. BUTLER. Of both establishments?

Mr. PENROSE. That is, of each.

Mr. BUTLER. They have shrunk, then, since 1896, because one of them had a capacity of more than 2,500 tons per annum. When did they shrink in their capacity to put out armor?

Mr. PENROSE. I wish to state to the Senator for his information that I mean that each one has a capacity of less than 2,000 tons, making about 4,000 tons for both.

Mr. BUTLER. Mr. President, we evidently need an armor plant in addition to these two concerns, if that is all they can do, with 14 ships ordered by this bill. When would they ever be able to turn out the armor? It would be about nine years before they could give us the armor for the ships provided in this bill. Therefore we need an armor plant in addition to those establishments. The Senator has proved too much for his comfort and for his contention.

I am glad the Senator from Ohio came in, because he based his argument upon this \$400 a ton proposition, the estimate made by Secretary Herbert, and then he proceeded to say that the price of materials had gone up since then. He proceeded to say that chrome had to go in at about \$30 a ton in addition to the Krupp process, and royalty about thirty or forty dollars a ton, and that would run it up to \$445. Therefore he claimed that \$445 was a more liberal estimate for the Government than the estimate made by Secretary Herbert. But the quantity of the order has everything to do with the estimate.

If the Senator from Ohio had read carefully this report he would see that Secretary Herbert stated that that was made on the basis that we gave but small orders each year for armor. He says in this report that one reason we have to pay them such a big price is that they only work a little part of the time and they have got to keep their plant standing there and ready for use; that if they could run it all the time they could do it much cheaper. He gives that as one of his reasons for saying that \$400 a ton would be a good profit, but not unreasonable. That was his main reason for putting it that high, as he states himself.

Now, here we propose to tax their capacity, to run them day and night, and then it would take them nine years to give us the armor; and yet it is claimed that the price should not be lower than when we gave them a thousand tons only a year, but that it should be higher.

Mr. President, there is another item figured by Mr. Herbert to get up to the \$400, and I want to call the attention of the Senate to it. He figured it not because, he said, he thought it ought to be in there, but, he said, to be on the safe side, to be more than fair, he was going to admit all that they claimed. That is what he says in his report. Now, what did he add next? Listen, and hear where he got the \$400 from. He added to the \$187.30 the \$60, making \$247.30. And for what? For maintenance. That is because we had a small order. Then what next did he do? Listen! I wish to have the attention of Senators to this, for I want you all to know just how Secretary Herbert got up to \$400. You must know this before you vote, because then you can not plead ignorance if you vote wrong.

Mr. President, the armor-plate factories contended that they ought to have 50 per cent more than a fair price. For what reason? Here is their contention. Listen! "On account of uncertainty of future orders." On account of uncertainty of the Government giving us future orders, on the orders that we do take we ought to have 50 per cent advance. Let me read what the Secretary says. He says:

I admit that there is some uncertainty about future contracts, and in view of the fact that these contractors have heretofore established plants on the faith that the Government would give them work, which now we may not do, I add 50 per cent to the cost of the armor, as they request.

How much is that? He had gotten the cost only up to about

\$250. Then he adds how much? One hundred and twenty-five dollars simply because of the uncertainty of future contracts, the only reason under heaven, and that runs it to \$375. Then he threw in \$25 for good measure, this making the \$400 per ton. Do you tell me that when we are giving them orders here that will run them day and night and enough to last nine years in this bill, we ought to add 50 per cent for uncertainty of future contracts? And yet that estimate of \$400 was made on that basis. Mr. President, as I have shown above, the cost of this armor is but \$187.30 a ton. Then add, say, \$10 a ton for maintenance and nothing for uncertainty, and you have \$197.30 a ton for armor. And if you were to add every item of increased cost claimed by the Senator from Ohio, you can not get it up to \$300 a ton.

The Senator from Ohio evidently had not read the report, or he would have been more frank and candid with the Senate. I can not understand it on any other hypothesis than that somebody fooled him and told him what was in it and misled him, and that he never saw the report. Here it is. It is on page 83. If the Senator wants to investigate it I will send a page for a copy and send it to him and give him time to look at it.

Business proposition! Would the Senator from Ohio ever be caught in a business proposition like that on his own account? No. If he had he would be poorer than I am to-day.

Mr. President, if this estimate of \$400 made by Mr. Herbert is correct and fair, then with the orders that we give in this bill for 14 vessels we should not pay more than \$300 a ton for armor. This gives at least a clear profit of \$75 a ton.

If anybody can reply to those facts, I want to hear from him. I challenge contradiction; and yet with those facts placed before us it is proposed that we not only give them \$445 a ton, but in addition to that we surrender and say to the Secretary of the Navy, "Pay what you please." The Senator from Ohio says that the Secretary of the Navy knows what our opinion is and will be governed by it. He will know that we surrendered and have taken back our opinion if we do surrender, and he will be guided by that instead of the former votes; and he would be justified to some extent in doing it.

Mr. President, this is the most outrageous and absurd proposition that was ever put before any legislative body in the history of the world. How any man could expect to get a vote in the Senate for such a proposition in the face of these facts is beyond my comprehension.

Mr. President, I know Senators are anxious for a vote; but I have just begun the ventilation of this business. I regret that it is late in the session. I appealed to the Senator from Maine a few days ago not to let this matter drag here until the last hours of the session, because I wanted time to ventilate it when it did come up. But here it comes at the last hour, just as I was afraid it would, when I am appealed to let us have a vote. Mr. President, let us take the vote. I suppose the trust will win, and that the robbery and loot will begin, or, rather, continue.

The PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from Pennsylvania [Mr. PENROSE].

Mr. TILLMAN. On that I call for the yeas and nays.

The yeas and nays were ordered; and the Secretary proceeded to call the roll.

Mr. BURROWS (when his name was called). I am paired with the senior Senator from Louisiana [Mr. CAFFERY].

Mr. SPOONER (when his name was called). I have a pair with the Senator from Tennessee [Mr. TURLEY], who is absent from the city, and unless his colleague can assure me as to how he would vote—

Mr. BATE. I think my colleague would vote "nay."

Mr. SPOONER. Then I will vote. I vote "nay."

The roll call was concluded.

Mr. DAVIS. I have a general pair with the Senator from Texas [Mr. CHILTON]. I will transfer that pair to the Senator from Maryland [Mr. WELLINGTON] and vote "yea."

Mr. JONES of Arkansas (after having voted in the negative). I am paired with the Senator from Rhode Island [Mr. ALDRICH], who is absent from the Senate, and I withdraw my vote.

Mr. BUTLER (after having voted in the negative). I have a general pair with the Senator from Maryland [Mr. WELLINGTON]. I understand that on this vote he is paired with the Senator from Minnesota [Mr. DAVIS]. If that is correct, I will let my vote stand.

Mr. JONES of Arkansas. The Senator from Tennessee [Mr. TURLEY] is absent without a pair, and I will transfer my pair with the Senator from Rhode Island [Mr. ALDRICH] to the Senator from Tennessee [Mr. TURLEY] and let my vote stand "nay."

Mr. QUARLES. I suggest whether the Senator from Arkansas is not mistaken in regard to the pair he has just stated. I understand that my colleague [Mr. SPOONER] is paired with the Senator from Tennessee [Mr. TURLEY].

Mr. JONES of Arkansas. The Senator's colleague has voted.

Mr. BERRY. He voted "nay."

The result was announced—yeas 39, nays 35; as follows:

YEAS—39.

Allison,	Foster,	McBride,	Quarles,
Baker,	Frye,	McComas,	Ross,
Carter,	Gallinger,	McEnery,	Scott,
Clark,	Hanna,	McMillan,	Sewell,
Cullom,	Hansbrough,	Mason,	Shoup,
Davis,	Hawley,	Penrose,	Thurston,
Deboe,	Horn,	Platt, Conn.	Warren,
Depew,	Kean,	Platt, N. Y.	Wetmore,
Elkins,	Kyle,	Pritchard,	Wolcott.
Fairbanks,	Lodge,	Proctor,	

NAYS—35.

Bacon,	Culberson,	Mallory,	Simon,
Bard,	Daniel,	Martin,	Spooner,
Bate,	Foraker,	Money,	Sullivan,
Berry,	Harris,	Morgan,	Taliaferro,
Beveridge,	Heitfeld,	Nelson,	Teller,
Butler,	Jones, Ark.	Perkins,	Tillman,
Chandler,	Kenney,	Pettigrew,	Turner,
Clay,	Lindsay,	Pettus,	Vest.
Cockrell,	McLaurin,	Rawlins,	

NOT VOTING—12.

Aldrich,	Caffery,	Hale,	Stewart,
Allen,	Chilton,	Jones, Nev.	Turley,
Burrows,	Gear,	McCumber,	Wellington.

So Mr. PENROSE's amendment was agreed to.

Mr. HALE. Mr. President, there are only two amendments left to the bill to be acted upon, which I think will take very little time in conference; but there is only one course to take, and that is to go into another conference. Therefore I move that the Senate insist upon its other amendments and ask for a further conference with the House of Representatives. I wish my motion to apply to all the Senate amendments, including the one just passed upon.

The PRESIDENT pro tempore. The Senator from Maine asks that the Senate still further insist upon its amendments and ask for a further conference with the House of Representatives.

The motion was agreed to.

By unanimous consent, the President pro tempore was authorized to appoint the conferees on the part of the Senate; and Mr. HALE, Mr. PERKINS, and Mr. TILLMAN were appointed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had passed the bill (S. 2438) to establish a fish-hatching and fish station in the State of West Virginia.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 11326) to regulate the collection of taxes in the District of Columbia.

COLLECTION OF TAXES IN THE DISTRICT OF COLUMBIA.

Mr. GALLINGER submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 11326) to regulate the collection of taxes in the District of Columbia, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment numbered 4.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, and 5.

J. H. GALLINGER,	
JAMES MCMILLAN,	
THOMAS S. MARTIN,	
Managers on the part of the Senate.	
SYDNEY E. MUDD,	
GEORGE A. PEARRE,	
A. C. LATIMER,	
Managers on the part of the House.	

The report was agreed to.

SUNDAY CIVIL APPROPRIATION BILL.

Mr. ALLISON. I ask the Chair to lay before the Senate the sundry civil appropriation bill.

The PRESIDENT pro tempore laid before the Senate the action of the House of Representatives, agreeing to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 11212) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1901, and for other purposes, and further insisting on its disagreement to amendment numbered 81.

Mr. ALLISON. I regret that the House of Representatives failed to agree to amendment numbered 81, and under the circumstances I feel constrained to move that the Senate recede from the amendment.

The PRESIDENT pro tempore. The question is on the motion of the Senator from Iowa that the Senate recede from the amendment numbered 81.

[Mr. STEWART addressed the Senate. See Appendix.]

The PRESIDENT pro tempore. The question is on the motion of the Senator from Iowa that the Senate recede from its amendment numbered 81.

The motion was agreed to.

CONFERENCES AND CONFERENCE REPORTS.

Mr. ALLISON. I move that the Senate proceed to the consideration of executive business.

Mr. HOAR. Will the Senator allow me to have a resolution passed? It will take no time whatever.

The PRESIDENT pro tempore. Does the Senator from Iowa yield to the Senator from Massachusetts to present a resolution?

Mr. ALLISON. I yield.

Mr. HOAR submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the Committee on Appropriations cause to be prepared for the use of the Senate a manual of the law and practice in regard to conferences and conference reports.

NORTHWEST TERRITORY EXPOSITION.

Mr. ALLISON. I renew my motion.

Mr. FORAKER. I ask the Senator to withhold that motion for just a moment. I have two joint resolutions which I tried to get passed this morning in regard to expositions to be held at Buffalo, N. Y., and Toledo, Ohio. They are joint resolutions providing that exhibitors from abroad may bring in their laborers under contract.

Mr. WOLCOTT. Where are these expositions to be held?

Mr. FORAKER. These expositions are to be held, one at Buffalo, N. Y., and the other at Toledo, Ohio. We have made appropriations for them, but foreign exhibitors can not arrange their exhibits unless they are allowed to bring in these laborers.

Mr. WOLCOTT. Do I understand that it will not interfere with the St. Louis Exposition?

Mr. FORAKER. Not at all. That is perfectly safe. They are hardly alike except in name. I ask leave to introduce the joint resolutions and to have them considered at the present time. I first introduce the joint resolution relating to the Toledo Exposition.

The joint resolution (S. R. 181) authorizing foreign exhibitors at the Ohio Centennial and Northwest Territory Exposition, to be held in Toledo, Ohio, in 1902, to bring to this country foreign laborers from their respective countries, for the purpose of preparing for and making their exhibits, under regulations prescribed by the Secretary of the Treasury, was read twice by its title.

Mr. FORAKER. I ask for the present consideration of the joint resolution.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution.

The joint resolution was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

PAN-AMERICAN EXPOSITION.

Mr. FORAKER. I now introduce a joint resolution in relation to the Buffalo Exposition.

The joint resolution (S. R. 132) authorizing foreign exhibitors at the Pan-American Exposition, to be held in Buffalo, N. Y., in 1901, to bring to this country foreign laborers from their respective countries, for the purpose of preparing for and making their exhibits, under regulations prescribed by the Secretary of the Treasury, was read twice by its title.

Mr. FORAKER. I ask for the present consideration of that joint resolution.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution.

Mr. WOLCOTT. Mr. President, what fair is this?

Mr. FORAKER. The one is at Toledo; the other at Buffalo, N. Y.

Mr. WOLCOTT. Oh, yes.

The PRESIDENT pro tempore. Is there objection to the present consideration of the joint resolution?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution.

The joint resolution was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. Brown, its Chief Clerk, announced that the House had passed the following bills:

A bill (S. 1746) to provide for the inspection of the boilers of the *Alvina* and *Ailsa*; and

A bill (S. 4020) to amend the act of Congress approved May 14, 1880, entitled "An act for the relief of settlers on the public lands."

The message also announced that the House had agreed to the concurrent resolution of the Senate to print 3,000 copies of Senate Miscellaneous Document 278, second session Fifty-third Congress, being a Digest of Decisions and Precedents of the Senate and House of Representatives.

ENROLLED BILLS SIGNED.

The message further announced that the Speaker of the House had signed the following enrolled bills and joint resolutions; and they were thereupon signed by the President pro tempore:

A bill (H. R. 10308) to extend to certain publications the privilege of second-class mail matter as to admission to the mails;

A bill (H. R. 11537) making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1900, and for prior years, and for other purposes;

A bill (S. 255) to ratify an agreement with the Indians of the Fort Hall Indian Reservation, in Idaho, and making appropriations to carry the same into effect;

A bill (S. 1489) granting an increase of pension to Robert C. Rogers;

A bill (S. 2111) granting a pension to Ira Doane;

A bill (S. 2497) granting an increase of pension to Sarah W. Rowell;

A bill (S. 4075) to amend an act to prohibit the passage of special or local laws in the Territories, to limit the Territorial indebtedness, etc.;

A bill (S. 4532) for reestablishing the range lights on the Delaware River known as Finns Point range, Reedy Island range, and Port Penn range;

A joint resolution (S. R. 28) relating to the use of rooms lately occupied by the Congressional Library in the Capitol;

A joint resolution (S. R. 122) respecting the mounting of the statue of Lafayette at Paris, France, July 4, 1900; and

A joint resolution (H. J. Res. 269) making appropriation for payment of the salaries of certain officers in the district of Alaska for the fiscal year ending June 30, 1901, and for other purposes.

WILLIAM L. ORR.

Mr. MASON. I am directed by the Committee on Claims to report back favorably without amendment the bill (H. R. 11728) for the relief of William L. Orr, and I ask that it be put on its passage.

There being no objection, the bill was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

EXECUTIVE SESSION.

Mr. STEWART. I ask leave to introduce a bill out of order.

Mr. PETTIGREW. I demand the regular order, Mr. President.

Mr. STEWART. I ask leave to introduce a bill.

Mr. PETTIGREW. I insist upon the regular order.

The PRESIDENT pro tempore. The regular order is on agreeing to the motion of the Senator from Iowa, that the Senate proceed to the consideration of executive business.

Mr. MASON. Will the Senator let me explain for one minute?

Mr. PETTIGREW. I will not. There is a resolution upon the table on which I want a vote.

Mr. WOLCOTT. I hope the Senator from South Dakota will yield to the Senator from Illinois.

Mr. MASON. It will be for only a moment.

Mr. WOLCOTT. I think it may have something to do with another county fair.

Mr. PETTIGREW. I insist on the regular order.

The PRESIDENT pro tempore. The question is on agreeing to the motion of the Senator from Iowa, that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After fifteen minutes spent in executive session the doors were reopened.

LABOR INVESTIGATION.

Mr. PETTIGREW. I move that the Senate proceed to the consideration of Senate resolution No. 397, which is on the table.

Mr. HAWLEY. I move to lay the motion on the table.

The PRESIDING OFFICER (Mr. GALLINGER in the chair). The Senator from South Dakota moves that the Senate proceed to the consideration of Senate resolution No. 397, and the Senator from Connecticut moves to lay the motion on the table.

Mr. PETTIGREW. On that I ask for the yeas and nays.

Mr. CHANDLER. Is a motion to proceed to the consideration of a measure subject to be laid on the table?

The PRESIDING OFFICER. No; the Chair will rule that it

is not. The question is on agreeing to the motion of the Senator from South Dakota, that the Senate proceed to the consideration of a resolution, which will be read.

Mr. ALLISON. Is the resolution pending before the Senate?

The PRESIDING OFFICER. The Chair so understands.

Mr. LODGE. No; it has never been reported.

Mr. ALLISON. The motion of the Senator from South Dakota is to discharge the committee from the further consideration of the bill, and therefore the bill is not before the Senate.

Mr. PETTIGREW. I simply ask to have the resolution considered.

Mr. ALLISON. The resolution to discharge the committee from the further consideration of the bill?

Mr. PETTIGREW. Yes. It comes over from yesterday.

Mr. CULLOM. Read the resolution.

The PRESIDING OFFICER. The Secretary will read the resolution.

The SECRETARY. Senate resolution No. 397—

Mr. HAWLEY. I want this thing distinctly understood. Does the Chair rule that my motion is not in order?

Mr. CULLOM. What was the motion?

Mr. HAWLEY. To lay on the table.

Mr. LODGE. To lay on the table the motion to proceed to the consideration of the resolution.

Mr. CHANDLER. It is not in order pending the motion to proceed to the consideration of the resolution.

Mr. HAWLEY. I move to lay the motion of the Senator from South Dakota on the table.

Mr. CHANDLER. If the resolution is taken up, it will be in order to move to lay it on the table.

The PRESIDING OFFICER. The Chair is constrained to rule against the Senator from Connecticut. A motion to lay on the table is not in order under the rules of the Senate. The motion being nondebatable, it can not be laid on the table.

Mr. PLATT of Connecticut. When the resolution is once before the Senate, then a motion to lay it on the table will be in order.

• The PRESIDING OFFICER. Unquestionably.

Mr. PETTIGREW. Is not the resolution in order as coming over from yesterday, and therefore before the Senate, and any proper motion is in order?

The PRESIDING OFFICER. The present occupant of the chair is not aware of any arrangement or suggestion that may have been made concerning the resolution. He will be pleased to be informed.

Mr. PETTIGREW. The resolution was offered yesterday and went over, on objection, under the rule. It therefore comes up regularly.

The PRESIDING OFFICER. If that is the status of the resolution, it undoubtedly would come in its regular order without a motion.

Mr. PETTIGREW. Yes.

The PRESIDING OFFICER. And it is now before the Senate.

Mr. CULLOM. Read it.

Mr. PETTIGREW. Let it be read.

Mr. HAWLEY. I move to lay the resolution on the table.

The PRESIDING OFFICER. Let it be read first.

The Secretary read the resolution submitted by Mr. PETTIGREW on the 5th instant, as follows:

Resolved, That the Committee on Education and Labor be discharged from further consideration of H. R. 6882, an act limiting the hours of daily services of laborers and mechanics employed upon work done for the United States or any Territory or the District of Columbia, thereby securing better products, and for other purposes, and that said committee be also discharged from the further consideration of H. R. 5450, an act to limit the effect of the regulation of interstate commerce between the several States in goods, wares, and merchandise wholly or in part manufactured by convict labor or in any prison or reformatory, and that both of said bills be placed upon the Calendar.

Mr. HAWLEY. I move to lay the resolution on the table.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Connecticut to lay the resolution on the table.

Mr. PETTIGREW and Mr. TELLER called for the yeas and nays, and they were ordered.

The Secretary proceeded to call the roll.

Mr. BUTLER (when his name was called). I have a general pair with the Senator from Maryland [Mr. WELLINGTON], but I transfer it to the Senator from Nebraska [Mr. ALLEN] and will vote. I vote "nay."

Mr. DAVIS (when his name was called). I have a general pair with the Senator from Texas [Mr. CHILTON].

Mr. JONES of Arkansas (when his name was called). I am paired with the Senator from Rhode Island [Mr. ALDRICH]. I should vote "nay" if he were present.

Mr. LODGE (when his name was called). I have a general pair with the junior Senator from Georgia [Mr. CLAY]. Not

seeing him in the Chamber, I withhold my vote. If he were present, I should vote "yea."

Mr. MORGAN (when his name was called). I am paired with the junior Senator from Iowa [Mr. GEAR].

Mr. PETTUS (when his name was called). I have a general pair with the senior Senator from Massachusetts [Mr. HOAR].

Mr. BATE (when Mr. TURLEY's name was called). My colleague is absent. He is paired, however, with the Senator from Wisconsin [Mr. SPOONER]. If my colleague were here, he would vote "nay."

The roll call was concluded.

Mr. LODGE. I announced my pair with the Senator from Georgia [Mr. CLAY]. I transfer that pair to the Senator from North Dakota [Mr. McCUMBER], and will vote. I vote "yea."

Mr. BURROWS. I am paired with the senior Senator from Louisiana [Mr. CAFFERY]. I withhold my vote.

Mr. BACON. My colleague [Mr. CLAY] has been unavoidably called to attend to some urgent business in one of the Departments. He left under an arrangement to pair with the junior Senator from Massachusetts [Mr. LODGE]. If my colleague were present, he would vote "nay."

The result was announced—yeas 33, nays 28; as follows:

YEAS—33.

Allison,	Hale,	Platt, Conn.	Stewart,
Baker,	Hanna,	Platt, N. Y.	Thurston,
Beveridge,	Hansbrough,	Proctor,	Vest,
Chandler,	Hawley,	Quarles,	Warren,
Debe,	Kean,	Rosa,	Watmore,
Fairbanks,	Kyle,	Scott,	Wolcott.
Foraker,	Lodge,	Sowell,	
Foster,	McComas,	Shoup,	
Gallinger,	McMillan,	Simon,	

NAYS—28.

Bacon,	Culberson,	Lindsay,	Penrose,
Bard,	Cullom,	McBride,	Pettigrew,
Bate,	Daniel,	McEnery,	Sullivan,
Berry,	Harris,	Mallory,	Taliaferro,
Butler,	Heitfeld,	Mason,	Teller,
Carter,	Jones, Nov.	Money,	Tillman,
Clark,	Kenney,	Nelson,	Turner.

NOT VOTING—25.

Aldrich,	Davis,	McCumber,	Rawlins,
Allen,	Depew,	McLaurin,	Spooner,
Burrows,	Elkins,	Martin,	Turley,
Caffery,	Frye,	Morgan,	Wellington,
Chilton,	Gear,	Perkins,	
Clay,	Hear,	Pettus,	
Cockrell,	Jones, Ark.	Pritchard,	

So the resolution was laid on the table.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had agreed to the concurrent resolution of the Senate to print 13,050 copies of the proceedings in Congress upon the reception and acceptance of the statue of General Grant presented by the Grand Army of the Republic.

The message also announced that the House had passed the concurrent resolution of the Senate to print and bind 16,500 copies of the proceedings in Congress upon the acceptance of the statues of Thomas H. Benton and Francis P. Blair.

The message further announced that the House had agreed to the concurrent resolution of the Senate to print 6,000 additional copies of the eulogies upon the late Richard P. Bland, a Representative from the State of Missouri.

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by the President pro tempore:

A bill (S. 4020) to amend the act of Congress approved May 14, 1880, entitled "An act for the relief of settlers on the public lands;" and

A bill (H. R. 11326) to regulate the collection of taxes in the District of Columbia.

✓ EXTENSION OF COAL-LAND LAWS TO ALASKA.

Mr. PLATT of New York. I wish to call up the bill (H. R. 5703) to extend the coal-land laws to the district of Alaska. I ask unanimous consent for its present consideration.

The Secretary read the bill; and, by unanimous consent, the Senate, as in Committee of the Whole, proceeded to its consideration. It proposes to extend to the district of Alaska so much of the public-land laws of the United States as relate to coal lands, namely, sections 2347 to 2352, inclusive, of the Revised Statutes.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MILITARY ACADEMY APPROPRIATION BILL.

Mr. THURSTON. I ask unanimous consent to call up House bill 4915.

Mr. TELLER. Mr. President, I rise to a question of order. I wish to see if we can not have a little order. A bill has just passed and nobody back in this part of the Chamber could have any idea what the bill was.

Mr. HALE. I wish to call attention—

Mr. TELLER. I do not want to interfere with the Senator from Nebraska. I think his bill is a proper one to be passed, but I want a little order here so that we may know what the bill is.

Mr. HALE. Mr. President, in the confusion that exists in the Chamber every sort of a proposition that nobody knows anything about gets through. I have just learned that on the Military Academy appropriation bill a proposition that had not been put on by either House, providing for Senatorial cadets, which neither House put on, has been taken by the conferees and put on that bill; and, with nobody knowing anything about it, it has passed the Senate and the report has been accepted. It is an outrage.

Mr. CHANDLER. Can it not be reconsidered?

Mr. HALE. It may have been signed already. It is taking advantage by a conference committee of an appropriation bill of all bills where the conferees are trusted by the Senate not to put on new matter; but this has been put on, and in the confusion which prevails in the Chamber has passed through, and nobody knew it. I never heard of it or knew that it had passed until this very moment.

Mr. SEWELL. Mr. President—

Mr. HALE. I talked with the Senator about it. It is not his fault. I talked with him beforehand. He said the committee would not think about putting it on; yet it was put on.

Mr. VEST. Will the Senator state what he refers to?

Mr. HALE. The proposition for Senatorial cadets, which neither House put on.

Mr. VEST. On the Military Academy bill?

Mr. HALE. On the Military Academy bill. It was discussed in the Senate and abandoned, and when it got into conference it was put on. I consulted with the Senator, and he said the conference committee would not dare to put on anything which had not been put on in either House; and yet I learn that the proposition was put on, and it was reported, and nobody knowing anything about it, it has passed.

Now, if on appropriation bills where the Senatorial conferees are entirely trusted by this body new matter that has not been put on by either House, repudiated in both, will be inserted and stealthily pushed through in the confusion that obtains in the last days, there is no security against any form of legislation.

Mr. SEWELL. Mr. President—

Mr. WOLCOTT. I ask the Senator from Maine who the conferees were?

Mr. HALE. I do not know.

Mr. WOLCOTT. I ask—

Mr. HALE. I know I consulted the Senator from New Jersey, who knows the importance of not having these things done, and he told me that it would not be thought of for a moment.

Mr. TILLMAN. I call the attention of the Senator from Maine to the fact—

The PRESIDING OFFICER. There can be no order in the Senate Chamber unless Senators observe the rule. The Senator from New Jersey rose to propound a question to the Senator from Maine, as the Chair understood.

Mr. SEWELL. I wish to say that I was one of the conferees, and the Senator from Maine is entirely mistaken. I will read the Senate amendment.

Mr. HALE. Now let me say that all cadets—

Mr. SEWELL. Allow me to make a statement.

Mr. HALE. All naval cadets are appointed by the President. All West Point cadets are appointed technically by the President. But when the number of cadets is enlarged for the purpose of giving to Senators cadets it is always done in the form of the President appointing. Nobody else can appoint a cadet. But if anything was settled by the discussion in the body, it was that no attempt should be made to put on the feature of Senatorial cadets.

Mr. SEWELL. Mr. President—

Mr. FORAKER. Will not the Senator inform us where that was done and by whom?

Mr. HALE. I never heard until a moment ago that it had been done.

Mr. FORAKER. I heard yesterday that it had been done in the House. Mr. HULL, of the House, was here and was talking about it.

Mr. STEWART. I think we ought to allow the Senator from New Jersey to make a statement.

Mr. SEWELL. The clause in the bill, as it passed the Senate, section 4, is as follows:

SEC. 4. That the corps of cadets shall consist of 1 from each Congressional district, 1 from each Territory, 1 from the District of Columbia, and 50 from the United States at large, not more than 2 of whom shall be appointed from the same State. They shall be appointed by the President, and shall be actual residents of the Congressional or Territorial districts, or of the District of Columbia, or of the States, respectively, from which they purport to be appointed.

That threw it open to conference, and the House insisted on the original clause that the Senate adopted in the bill for the increase of artillery, and the Senate conferees gave way.

Mr. HALE. That was on another bill.

Mr. SEWELL. Just so; but the provision had the support of the judgment of the Senate.

Mr. HALE. I am glad the Senator stated that, that the refuge of the conferees is that, not on this bill but on another bill, the proposition had been embodied by the Senate. Of course, if the conferees, who are implicitly trusted by the bodies, instead of confining themselves to the one distinctive bill that is under consideration are allowed to go outside of that and say that because on another bill entirely different Senatorial action has been taken or House action has been taken, and that therefore they put it on in conference, there is no safety.

Mr. SEWELL. Allow me to state that the clause which I have read in the bill was open to amendment by the conferees; the House conferees insisted on amending it, and the Senate conferees gave way and made a report to that effect.

Mr. CHANDLER. What did the conference do?

Mr. HALE. They went beyond what either House had done. Mr. CHANDLER. The Senator has not stated what they did.

Mr. SEWELL. The conference authorized the appointment of 2 from each State by the President, not in addition to the 50, but cutting down his appointments to 20. It was perfectly within the right of the conferees in every sense to do it.

Mr. HALE. Now, can the Senator assume, seeing that the President must appoint all, any form that would establish Senatorial cadets more effectually than the proposition that two shall be appointed from each State?

Mr. SEWELL. It is perfectly within the right of the President to appoint them. There was nothing said about Senators recommending them.

Mr. HALE. That is true about West Point and Annapolis today, but you can not conceive a scheme for Senatorial cadets devised where the language could be better adapted for that purpose than what has been put on by the conference, two from each State. Of course that means Senatorial cadets.

Mr. LODGE. May I ask a question? As I understand it, the amendment that we passed here on the Military Academy bill provided that not more than two should be taken from each State.

Mr. PLATT of Connecticut. From any State.

Mr. LODGE. From any State.

Mr. HALE. It limited the number.

Mr. LODGE. It limited the number to 50. It provided that not more than two should be taken from any one State. That amendment that we put on here was an entirely new amendment, was it not?

Mr. SEWELL. Yes.

Mr. LODGE. Then is not that amendment open to remodeling in conference?

Mr. SEWELL. That is just what I was saying. The conferees—

Mr. HALE. I have never known where a number or an amount had been in controversy that a conference ever have ventured openly in putting on either an amount or a number other than either House had considered. If that is done, everything is open. If that is done, an appropriation by the House for \$100,000 that has been increased to \$200,000 by the Senate can be made by conference \$2,000,000.

That is embodying the power of legislation not in either House nor in both Houses, but in committees of conference. It is the most dangerous kind of legislation. It is what both Houses ought to set themselves religiously against. It is what our Committee on Appropriations has always made its fight upon, that it will never exceed what has been done either by one House or another, and will put no new matter on that has not been put on by either House.

I suppose it is too late; I suppose the same spirit that has brought this in hurried it through that door to the President and that it has been signed. I fancy so. I fancy we are remediless; but I call attention to the fact that it will always be found, if conferees are willing to take the advantage which in their closed room and closed door we give to them, of putting on matter that neither House has put on, or exceeding the limitations fixed by both Houses, we are at the mercy of committees of conference, and never so much so as in the last two or three days of a session. I protest against it.

Mr. CULLOM. I should like to say—

Mr. DANIEL. The Senator will move to reconsider?

Mr. HALE. I presume the bill has been signed.

Mr. BATE. I recollect, sir—

The PRESIDING OFFICER. Does the Senator from New Jersey yield to the Senator from Tennessee?

Mr. SEWELL. For one moment.

Mr. BATE. I belong to that committee, and I heard it discussed there. This very proposition was presented to the Senate and was voted down, and the Senator from Missouri [Mr. COCKRELL] made a speech against it. I remember that this very proposition was voted down.

Mr. SEWELL. I wish to say that the conferees met with this question, one as to the increase of cadets, entirely open, and the conferees on the part of the House insisted on the increase. The conferees on the part of the Senate, knowing that a similar increase had passed this body in another bill, thought that they were doing a perfectly proper thing to adopt the amendment offered by the House conferees.

Mr. HALE. Suppose 200 cadets had been proposed?

Mr. SEWELL. I should not have agreed to it, because the Senate had not approved 200. They had approved this number.

Mr. CULLOM. I wish to say—

The PRESIDING OFFICER. Does the Senator from New Jersey yield to the Senator from Illinois?

Mr. SEWELL. I yield.

Mr. CULLOM. I desire to say simply that back of all this is the evil of making appropriation bills carriers for all kinds of legislation. That is true of this bill as well as many other of the appropriation bills about which we have had trouble this year.

Mr. SEWELL. I will say to the Senator from Illinois that the Military Academy appropriation bill is unique in itself. All the legislation for the Military Academy goes on that appropriation bill, and the increase of cadets upon it is perfectly proper.

Mr. CULLOM. As I remember it, there is a provision for the promotion of a major-general and a brigadier-general on that bill also.

Mr. SEWELL. Yes, sir; and very properly, too.

Mr. HALE. That was put in by either one House or the other; but in this case neither House put it on the bill.

Mr. TILLMAN. I will call the attention of the Senator from Maine to another exhibition of this kind of surreptitious or unfair advantage in an enactment upon a conference report last year. Authority was given to sue two States contrary to the Constitution, and we had to incorporate in an appropriation bill a repeal of that sneaking thing which went through last winter by reason of a conference committee exceeding their authority.

Mr. HALE. I do not know that I would call it sneaking, but it can be best characterized as furtive legislation. That is what it is.

Mr. SEWELL. Does the Senator from Maine mean to say to the Senate that he never increased the number of cadets at Annapolis under similar circumstances?

Mr. HALE. In conference?

Mr. SEWELL. Yes.

Mr. HALE. Never, never.

Mr. SEWELL. Does he mean to say that it is improper to do so?

Mr. HALE. Undoubtedly it is improper.

Mr. SEWELL. I disagree with the Senator entirely.

Mr. HALE. There is where the Senator and I disagree, and that is the line of demarcation.

Mr. SEWELL. I remember when the Senator from Maine—

Mr. HALE. On another bill?

Mr. SEWELL. It does not make any difference.

Mr. HALE. There is where the Senator and I disagree.

Mr. SEWELL. When the Senate itself, in deliberate judgment—

Mr. HALE. On another bill?

Mr. SEWELL. On another bill passed the same amendment as the amendment agreed upon here?

Mr. BERRY. The Senate reversed that judgment on this bill and refused to do it.

The PRESIDING OFFICER. Senators will please address the Chair.

Mr. BERRY. The Senate had reversed in the last bill their action and refused to put it in.

Mr. MASON. Mr. President, may I be permitted a word?

The PRESIDING OFFICER. Will the Senator from New Jersey yield to the Senator from Illinois? The Chair suggests that this debate is proceeding by consent. Does the Senator from New Jersey yield?

Mr. SEWELL. Yes, sir.

Mr. MASON. I do not care to make any extended remarks, but I wish to suggest to those upon the floor who are offended with the legislation that there is nothing in the bill to compel any Senator to avail himself of the privilege of naming a cadet.

Mr. HALE. That does not answer the question. The moment this becomes a law every Senator is pushed by his constituents to nominate a man.

The PRESIDING OFFICER. The Senator from Illinois has the floor.

Mr. MASON. That does not answer the question, and yet it does. The facts are these: This is the practice and has been. For what purpose are your committees of conference limited in their deliberations? For the sole purpose that they shall bring in a report which shall conform to the intention and judgment of the body they represent. I say that it is a mere technical complaint against this committee. I am not on the committee, but this body having in its deliberate judgment expressed itself in favor of an increase in the number of cadets at West Point when the conferees representing that branch of the law-making power insist upon that increase in the number of cadets, I say it is a mere technical objection to the conferees upon "our part to say, 'You exercised the judgment of the body you represent, but it was on another bill.'" Suppose it was on another bill? The Senate had expressed itself in favor of the increase, and a very wise increase it is to be. It is a necessity agreed upon by all.

Whether it is done under the technical rules, as some men construe them, or not, we who are new in this business have great faith in the distinguished Senator from New Jersey who has made this explanation. I for one am surprised at the contention and the complaint, knowing the spirit and the willingness of the Senate of the United States to have this increase, that it should be now criticised because we acted upon the spirit of the rule and not by the strict letter of the law.

Mr. PROCTOR. Mr. President, I was not on the conference committee, and I did not know of the action of the committee or of the Senate until to-day, after both had acted. I know something of the history of the matter. It has been stated here that the proposition had been rejected by the Senate. As I understand it, the proposition was made by the House committee for a still larger number—two from each State and a larger number at large; but it went out there on a point of order. In this body on the organization bill precisely this provision was acted upon and passed by the Senate without division or objection, as I recollect it.

Mr. LODGE. There was a vote, if the Senator will allow me, and the proposition carried, for I voted against it.

Mr. PROCTOR. I introduced as an amendment to this appropriation bill precisely the same measure that had been passed by the Senate, and it went out on a point of order. It was not considered or acted on by the Senate, but it had been, and they had approved it very strongly, and I have no doubt they would have done so on the appropriation bill if a vote could have been obtained.

Mr. CHANDLER. Then an amendment which is ruled out on a point of order when it is proposed in the Senate can be put in by a conference committee. That I understand is the state of the case. It seems to me, Mr. President, that a most dangerous power has been exerted by this conference committee.

Mr. PROCTOR. I did not say any such thing.

Mr. CHANDLER. Two or three times within the last few years the subject has been discussed. The limitations of conference committees are, or ought to be, well known.

The Senator from Maine has stated the rule, I think, very clearly. If the two Houses differ as to amounts, as, for instance, between \$100,000 and \$200,000, it never has been dreamed that a conference committee could put in \$300,000. So if there had been a controversy about cadets, the question being 50 and a less number, between the two bodies, the adoption by the conference committee of a clause appointing 90 cadets would be a misuse of the powers of a conference committee. Mr. President, there ought to be some way of preventing that thing from being done. One of the most important points in connection with legislation is that the Senate shall have confidence in its conference committees, and it can not have confidence in its conference committees if a conference committee can do what this conference committee has done.

APPEALS IN EQUITY CASES.

The PRESIDING OFFICER. The Senator from Nebraska asks unanimous consent for the present consideration of a bill.

Mr. THURSTON. I ask unanimous consent that the Committee on the Judiciary be discharged from the further consideration of House bill 4915, and that it be put upon its passage.

Mr. President, I simply desire to state in this connection that a similar bill has been reported by the unanimous vote of the Judiciary Committee of this body. The existing law permits an appeal from the granting of an injunction. This bill amends the law so as to permit an appeal to the court of appeals from the appointment of a receiver. It is asked for by the American Bar Association and the entire bar of the country. It is a remedial piece of legislation most necessary to prevent the improvident granting of receiverships and tying up property for years without a chance to be heard in an appellate court.

The PRESIDENT pro tempore. The Senator from Nebraska

asks unanimous consent that the Committee on the Judiciary be discharged from the further consideration of a bill which will be read to the Senate in full.

The Secretary read the bill (H. R. 4915) to amend the seventh section of the act entitled "An act to establish circuit courts of appeals, and to define and regulate in certain cases the jurisdiction of the courts of the United States, and for other purposes," approved March 3, 1891, as follows:

Be it enacted, etc. That the seventh section of the act entitled "An act to establish circuit courts of appeals, and to define and regulate in certain cases the jurisdiction of the courts of the United States, and for other purposes," approved March 3, 1891, be amended so as to read as follows:

"SEC. 7. That where, upon a hearing in equity in a district court or in a circuit court, or by a judge thereof in vacation, an injunction shall be granted or continued or a receiver appointed, by an interlocutory order or decree, in a cause in which an appeal from a final decree may be taken under the provisions of this act to the circuit court of appeals, an appeal may be taken from such interlocutory order or decree granting or continuing such injunction or appointing such receiver to the circuit court of appeals: *Provided*, That the appeal must be taken within thirty days from the entry of such order or decree, and it shall take precedence in the appellate court; and the proceedings in other respects in the court below shall not be stayed, unless otherwise ordered by that court, or by the appellate court or a judge thereof, during the pendency of such appeal: *Provided further*, That the court below may in its discretion require as a condition of the appeal an additional bond."

Mr. CHANDLER. I should like to know what the views of the Judiciary Committee are in reference to this bill. I do not see the chairman of the committee here.

Mr. PLATT of Connecticut. I wish to say, with the permission of the Senator, that I do not think a motion to discharge the Judiciary Committee is exactly correct or accurate. The Judiciary Committee has reported a bill upon the same subject which is upon the Calendar.

Mr. BACON. It is the same identical bill.

Mr. PLATT of Connecticut. Now, a House bill comes over just like the bill which has been reported.

Mr. THURSTON. This bill escaped my attention yesterday and was referred to the Judiciary Committee.

Mr. PLATT of Connecticut. Oh, I did not understand.

Mr. BACON. The bills are identical in language.

Mr. CHANDLER. Now, how are we to know that this bill is the same as the other?

Mr. BACON. Those of us who are on the Judiciary Committee will give the Senator the assurance that that is the fact.

Mr. THURSTON. I assured the Senate that this is the same as the bill reported by our committee.

Mr. BACON. It is identical in words.

Mr. CHANDLER. I understand. Sometimes conference committees deceive the Senate, and the Senator is to be forgiven if he wants to be entirely certain on that point. I did not hear what the Senator said, by the way. If the members of the Judiciary Committee will say to the Senate that it is precisely the same bill—

Mr. HALE. It is identically the same bill.

Mr. BACON. I will say to the Senator that the bill was prepared by the committee of the bar association and furnished to each House—the same bill, prepared by the bar association.

Mr. THURSTON. I will say to the Senator, to be accurate, that the House has left in one word that was not in the House bill. So the House bill reads that "an appeal may be taken from an order allowing or continuing a receivership." Our report did not have the word "continuing" in, but that does not change it in any important particular at all.

Mr. CHANDLER. Then it is not exactly the same bill.

Mr. THURSTON. In all but one word.

Mr. CHANDLER. I think the Senator said a little while ago that it was exactly the same bill.

Mr. THURSTON. I did not want to quibble here over a mere change of language. It is the same bill to every intent and purpose.

Mr. CHANDLER. That is satisfactory. The Senator will forgive me for exercising the privilege of knowing the exact fact when an important bill of this kind is presented.

Mr. THURSTON. I forgive the Senator from New Hampshire for much more than this.

Mr. CHANDLER. I hope the Senator will continue to do that. If the members of the Judiciary Committee who are present in the Senate wish this bill to pass, I shall not make an objection.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

Mr. THURSTON. I was mistaken. I find that the Senate bill is identically the same as the House bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had passed the bill (S. 1794) for the relief of Fred Weddle.

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by the President pro tempore:

A bill (S. 1746) to provide for the inspection of the boilers of the *Albena* and *Ailsa*;

A bill (H. R. 11912) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1901, and for other purposes; and

A bill (H. R. 11738) for the relief of William L. Orr.

HENRY L. BRENEMAN.

Mr. CULBERSON. I ask unanimous consent for the present consideration of Senate bill 4756. It was reported from the Committee on Finance yesterday morning by the Senator from Rhode Island [Mr. ALDRICH] with an amendment. It is simply for the issue of a duplicate of a lost check.

The PRESIDENT pro tempore. The Senator from Texas asks unanimous consent for the present consideration of a bill which will be read to the Senate in full for its information.

The Secretary read the bill (S. 4756) to authorize the issue of a duplicate of a lost check drawn by Thomas B. Quinn, major, Corps of Engineers, United States Army, in favor of Henry L. Breneman, which had been reported from the Committee on Finance with an amendment, to strike out all after the enacting clause and insert:

That James B. Quinn, major, Corps of Engineers, United States Army, be and he is hereby authorized and instructed to issue to D. C. Rollins a duplicate of an original check issued by said James B. Quinn on the 13th day of July, 1898, No. 8227, upon the assistant treasurer of the United States at New Orleans, La., in favor of Henry L. Breneman, for the sum of \$15,348.90, which check is alleged to have been lost in transmission through the United States mails by said James B. Quinn: *Provided*, That such duplicate check shall be issued under such regulations in regard to its issue and payment as have been prescribed by the Secretary of the Treasury for the issue of duplicate checks under the provisions of section 3646 of the Revised Statutes of the United States, including an adequate bond of indemnity.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to the consideration of the bill.

The PRESIDENT pro tempore. The question is on agreeing to the amendment reported by the committee.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

PROPOSED RECESS.

Mr. ALLISON. I desire to say to the Senate that all the appropriation bills have now been passed except the naval appropriation bill, which is in conference, I am informed by the Senator from Maine [Mr. HALE], and it is not likely that the conferees on that bill will be ready to report until about 6 o'clock this evening. I therefore desire to move a recess until that hour.

Mr. DANIEL. I hope the Senator from Iowa will yield to me for the consideration of a bill which will not take many minutes.

Mr. ALLISON. I will yield to the Senator if the matter which he desires to present will not lead to debate.

JOHN S. MOSBY.

Mr. DANIEL. I ask unanimous consent for the present consideration of the bill (S. 3305) to refer the claim of John S. Mosby against the United States for the value of certain tobacco to the Court of Claims.

The PRESIDENT pro tempore. Does the Senator from Iowa object?

Mr. ALLISON. Mr. President—

Mr. DANIEL. I move the present consideration of the bill.

The PRESIDENT pro tempore. The Senator from Iowa [Mr. ALLISON] was recognized.

Mr. DANIEL. The whole story can be told in three minutes. Then if Senators want to vote against the bill, it will be their privilege to do so. It is an all-right bill, in my judgment.

Mr. ALLISON. It is a bill on the Calendar, and it is a Senate bill reported from what committee?

Mr. DANIEL. It is reported from the Committee on Claims.

Mr. CULLOM. There is no use in trying to pass it now.

Mr. DANIEL. The bill could have been passed by this time.

Mr. PLATT of Connecticut. It is manifest that it is a bill, if it should pass the Senate, which can not be passed in the other House at this session, and therefore it is unimportant to pass it here. It is a bill which certainly requires explanation, and will probably lead to debate. If one objection will carry the bill over, I object.

Mr. DANIEL. The whole story of this bill is this: Col. John S. Mosby, formerly of the Confederate army, was a paroled Confederate soldier and under the guaranty of the United States

Government that he would not be disturbed if he observed his parole. His tobacco was taken from him by the quartermaster of the United States, and the receipt is filed with the papers in the case. All that he asks is that the Court of Claims may hear and adjudicate his claim.

Mr. ALLISON. Does not that involve the question of a claim for captured and abandoned tobacco?

Mr. DANIEL. It does, but about that—

Mr. ALLISON. I trust the Senator will not insist on the consideration of the bill.

Mr. DANIEL. It was not abandoned tobacco; it was taken from him. A man more powerful than he took it away. He had to abandon it because he was not as strong as the United States. So it seems to me, Mr. President, that it is an honorable obligation of the United States, and, if the Senator will allow me, I will relate a little story about General Grant, which shows how he dealt with matters of this sort.

Mr. ALLISON. Well, Mr. President, I will not disturb the Senator in that regard.

Mr. DANIEL. If the Senator insists—

Mr. ALLISON. I will allow the bill to be read, reserving my right to object.

Mr. FORAKER. It was read yesterday.

The PRESIDENT pro tempore. The bill was read yesterday.

Mr. ALLISON. And objected to?

Mr. FORAKER. Yes.

Mr. ALLISON. I understand this bill was read yesterday and objected to. I now object to it.

The PRESIDENT pro tempore. Objection is made.

Mr. DANIEL. I beg leave to call the attention of the Senator to the fact that I have moved to proceed to the consideration of the bill, and in doing so, if the Senator will allow me—

Mr. ALLISON. Pending that motion, I move that the Senate take a recess until 6 o'clock this evening.

Mr. DANIEL. Permit me to make a little statement. It may perhaps mollify the Senator from Iowa somewhat.

During the time in which it was possible for Colonel Mosby to have sued for this tobacco the iron-clad oath was required by the Court of Claims. Of course, having been a Confederate soldier, he could not take that oath. The Supreme Court of the United States did not decide that that was unconstitutional until after the period in which he could have sued had expired. Now, I submit to the honorable Senator from Iowa if he does not think, under those circumstances, it is right and just that the United States should give this officer an opportunity to be heard, and also if he does not think that Colonel Mosby has been very patient about it, under all the circumstances?

Mr. ALLISON. As I understand this bill, without having heard it read, it is a claim that has been pending for a great many years.

Mr. DANIEL. It was only introduced at this session.

Mr. ALLISON. Very well. It arose from an old claim, and should be examined certainly more in detail than is possible now in the expiring hours of the session.

The PRESIDENT pro tempore. The Senator from Iowa moves that the Senate take a recess until 6 o'clock this evening.

IMMIGRATION OFFICE IN NEW YORK CITY.

Mr. PETTIGREW. Will the Senator from Iowa yield to me to offer a resolution for which I desire immediate consideration?

Mr. ALLISON. The Senator from South Dakota offers so few resolutions that I will yield to him if this one leads to no debate.

Mr. PETTIGREW. If it leads to debate, an objection will send it over.

The PRESIDENT pro tempore. The resolution will be read.

The Secretary read as follows:

Resolved, That the Secretary of the Treasury be, and he is hereby directed to send to the Senate all the evidence and reports in relation to an investigation of the Immigration Office in New York City by the Treasury Department.

Mr. ALLISON. I object to the resolution.

The PRESIDENT pro tempore. Objection is made, and the resolution goes over under the rule.

RECESS.

Mr. ALLISON. I renew my motion that the Senate take a recess until 6 o'clock this evening.

Mr. PETTUS. I move to amend the motion by making it "half past 6 o'clock."

Mr. ALLISON. I will accept the modification suggested by the Senator from Alabama.

The PRESIDENT pro tempore (at 4 o'clock and 40 minutes p. m.). The question is on the motion of the Senator from Iowa, as modified, that the Senate now take a recess until half past 6 o'clock this evening.

The motion as modified was agreed to.

The Senate thereupon took a recess until 6 o'clock and 30 minutes p. m.

EVENING SESSION.

The Senate reassembled at 6:30 o'clock p. m.

MARY E. REYNOLDS.

Mr. FAIRBANKS. I should like unanimous consent for the present consideration of a pension case which is a very meritorious one. It is the bill (H. R. 437) granting a pension to Mary E. Reynolds.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to pension Mary E. Reynolds, widow of Joseph J. Reynolds, late major-general, United States Volunteers, and colonel, United States Army, at the rate of \$50 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

EMPLOYEES OF WILLIAM M. JACOBS.

Mr. PENROSE. I ask unanimous consent for the present consideration of the bill (H. R. 5324) for the relief of the employees of William M. Jacobs.

The PRESIDENT pro tempore. The Senator from Pennsylvania asks unanimous consent for the present consideration of a bill, which will be read in full for the information of the Senate. The Secretary read the bill.

Mr. JONES of Arkansas. I hope there will be some explanation of this bill. It seems a little extraordinary to have the Government pay employees in a cigar factory.

The PRESIDENT pro tempore. There is a report.

Mr. COCKRELL. Let the report be read.

Mr. PENROSE. There is a report on this bill. The House has passed the bill.

Mr. JONES of Arkansas. Let the report be read.

Mr. PENROSE. All right.

The Secretary read the report, submitted by Mr. McCUMBER, May 16, 1900, as follows:

The Committee on Claims, to whom was referred the bill (H. R. 5324) for the relief of the employees of William M. Jacobs, have had the same under consideration and beg leave to submit as their report the report (No. 435) of the Committee on Claims of the House, adopting the same in full as the report of this committee, as follows:

"The Committee on Claims, to whom was referred the bill (H. R. 5324) for the relief of the employees of William M. Jacobs, beg leave to submit the following report and recommend that said bill do pass without amendment:

"This is a bill enacting that the Commissioner of Internal Revenue be authorized and directed to pay to the employees of William M. Jacobs, who were employed between April 10, 1890, and April 10, 1890, inclusive, in his cigar factory at Lancaster, Pa., such sums of money as may be respectively due them for their labor during such period, not exceeding \$90 to any one employee and not exceeding \$2,700 for all, the said sums to be paid by the Commissioner of Internal Revenue after he shall be satisfied as to the identity of the various employees and the correctness of the respective amounts due them, and to be paid out of the moneys in the Treasury received from the sale of cigars seized in the factory of the said William M. Jacobs and forfeited for violation of the internal-revenue law.

"In the spring of 1890 William M. Jacobs, while doing business as William M. Jacobs & Co., an extensive cigar manufacturers, was found to be carrying on fraudulent operations by means of counterfeit cigar stamps. They were also engaged in counterfeiting the securities of the Government. The amount of tax upon the cigars which had been marketed by the parties under counterfeit stamps was estimated, from the best obtainable evidence, at \$149,658.49. Of this amount the sum of \$126,811.88 was assessed against them, the balance being barred by the statute of limitations from assessment. William M. Jacobs was arrested and has been criminally prosecuted and convicted. The cigar factory was seized by the collector of internal revenue, with its contents, on April 26, 1890. Seizures have also been made of the product of the Jacobs factory in various parts of the country, which product was covered by counterfeit stamps.

"The property seized in the factory of William M. Jacobs was distrained by the collector and sold. The net proceeds of this sale were \$28,200, which amount was credited to the assessment against William M. Jacobs & Co. There have also been credited amounts totaling \$2,253.31, which were received from more than fifty customers of William M. Jacobs & Co., which customers were indebted to the company for cigars purchased. Total amount secured by the Government, \$30,453.31."

The relief asked for is for wages due to workmen and workwomen employed by William M. Jacobs & Co. up to the date of the seizure of the factory by the collector, to wit, April 26, 1890. Inasmuch as the Government has had the benefit of the labor of said employees, and the said William M. Jacobs & Co. having no property by reason of the seizure, the committee think that in equity those employed by this company, and under these circumstances, should be paid out of the moneys in the United States Treasury received from the sale of the cigars seized in the factory of William M. Jacobs & Co., as provided in the bill.

Your committee therefore report favorably and recommend that the bill do pass.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

Mr. JONES of Arkansas. I think there should be a quorum present. It is important that Senators should be present when these bills are being considered.

The PRESIDENT pro tempore. The Senator from Arkansas suggests the absence of a quorum. The Secretary will call the roll.

The Secretary proceeded to call the roll.

Mr. HALE. Of course it is in order to move to adjourn at any time, but is it in order to move to take a recess before the presence of a quorum is determined?

The PRESIDENT pro tempore. It is not.

The Secretary resumed and concluded the calling of the roll. The following Senators answered to their names:

Aldrich,	Deboe,	Jones, Nov.	Rawlins,
Baker,	Elkins,	Kean,	Scott,
Bard,	Fairbanks,	Kenney,	Sewell,
Bate,	Foraker,	Lindsay,	Shoup,
Berry,	Foster,	Lodge,	Spooner,
Burrows,	Frye,	Money,	Stewart,
Butler,	Gallinger,	Nelson,	Taliaferro,
Carter,	Halo,	Penrose,	Tillman,
Chandler,	Hanna,	Perkins,	Vest,
Clark,	Hansbrough,	Pettigrew,	Warren,
Cockrell,	Hawley,	Platt, Conn.	
Daniel,	Jones, Ark.	Platt, N. Y.	

The PRESIDENT pro tempore. Forty-six Senators have answered to their names. A quorum is present.

Mr. CHANDLER. I ask unanimous consent that the Senate may consider—

The PRESIDENT pro tempore. There is a bill two-thirds considered.

Mr. GALLINGER. A bill was being considered.

Mr. CHANDLER. I do not object to the other one-third being considered.

Mr. PLATT of Connecticut. I should like to hear the report read in this case.

The PRESIDENT pro tempore. It has been read in full.

Mr. COCKRELL. Let it be read again.

Mr. PLATT of Connecticut. I do not understand why it is that persons who worked in a cigar factory are entitled to be paid by the Government.

Mr. PENROSE. The report was read on this bill, which has passed the House. It is a case where the owner of the factory was indicted in the United States court for counterfeiting stamps, and the Government, during the time it was in actual possession of the factory, had these men employed. The bill provides that no one employee shall be paid more than \$20. It is only a fair and just measure, and has the report of a committee. It was a case of seizure, and the Government distrained the property of Kendig, who was the other day in Philadelphia sentenced to twelve years in the penitentiary for counterfeiting.

Mr. HANSBROUGH. It is a House bill?

Mr. PENROSE. It is a House bill.

Mr. PLATT of Connecticut. I should like to know how the Government carried on this factory.

Mr. COCKRELL. One moment. I do not understand from the report I have before me that the Government carried on the factory at all. On the contrary, it seized it and everything that was in it, and the work was stopped.

Mr. SPOONER. Did those wages accrue before the seizure?

Mr. COCKRELL. This is up to the time of the seizure.

Mr. CARTER. In that behalf I will suggest to the Senator from Missouri that it seems to be a general rule in equity, where a receivership of property obtains, that a certain line is drawn, say six months prior, during which labor expended on the property shall be recognized as a prior claim. That seems to be the condition in this case.

Mr. SPOONER. Did the Government sell the property?

Mr. CARTER. The Government sold the property and received the proceeds of it.

Mr. PENROSE. I think the Government received some thirty or forty thousand dollars. The report shows. The Senator from West Virginia [Mr. SCOTT] was Commissioner of Internal Revenue at the time, and he can explain the matter better than I can.

Mr. COCKRELL. The Government seized the property. I read from the report:

The amount of tax upon the cigars which had been marketed by the parties under counterfeit stamps was estimated, from the best obtainable evidence, at \$143,688.49. Of this amount the sum of \$136,811.88 was assessed against them, the balance being barred by the statute of limitations from assessment. William M. Jacobs was arrested and has been criminally prosecuted and convicted. The cigar factory was seized by the collector of internal revenue, with its contents, on April 23, 1899. Seizures have also been made of the product of the Jacobs factory in various parts of the country, which product was covered by counterfeit stamps.

The property seized in the factory of William M. Jacobs was distrained by the collector and sold. The net proceeds of this sale were \$23,200, which amount was credited to the assessments against William M. Jacobs & Co. There have also been credited amounts totaling \$2,531, which were received from more than fifty customers of William M. Jacobs & Co., which customers were indebted to the company for cigars purchased. Total amount secured by the Government, \$30,433.31.

Mr. CARTER. I understand the fact to be, with reference to this bill, that certain cigars which had been made by the employees during the preceding two days were seized. Their labor expended upon the raw material had enhanced the value of the material. The material, put into marketable condition in the form of cigars, was seized by the Government and sold; and it does seem to me equitable that these laborers, who were certainly not at fault in the matter of violating the internal-revenue laws, should not be deprived of their week's wages because the Government seized and sold rather than permitting the original employer

to sell in the ordinary course of trade. The employees, not being in any manner chargeable with any part or portion of the offense, are certainly entitled to the week's wages; and I believe that is all the bill gives them. It would, in equity, I assume, constitute a prior lien upon the property if a receiver had been appointed. The general rule, I believe, is that six months—

Mr. DANIEL. Will the Senator from Montana allow me to ask him a question?

Mr. CARTER. The general rule is, I believe, that labor or material furnished six months prior to the appointment of a receiver is regarded as having added to the value of the property to such an extent as to entitle the person giving the labor or material to compensation.

Mr. DANIEL. I desire to ask the Senator from Montana a question. Was that labor performed on these specific tobaccoos?

Mr. CARTER. I am only advised so far as the report conveys the information.

Mr. DANIEL. We ought to have information about that. If we have not the information, we ought to wait for it.

Mr. CARTER. The information, as I understand, conveyed by the report is that the identical material or cigars upon which the labor had been expended were seized by the Government, and the employees were not paid.

Mr. DANIEL. How much do they claim?

Mr. PENROSE. The labor was performed on the specific article which the United States Government sold.

Mr. DANIEL. Is that in the report?

Mr. PENROSE. The report so states it.

Mr. SPOONER. No.

Mr. PENROSE. Then the bill provides that not more than \$20 shall be paid to any one employee of the factory—a week's wages.

Mr. PLATT of Connecticut. Why not, if more is due an employee?

Mr. PENROSE. It is almost too small a matter for the United States Senate to take up any time in discussing.

Mr. PLATT of Connecticut. It is not a question whether it is very large or very small.

Mr. DANIEL. It is not a question whether it is large or small, but whether we should pay it.

Mr. PLATT of Connecticut. It is not a very small matter. If this bill is to pass, then we are to establish the principle that whenever the Government makes a seizure of any property for any reason, the persons who have been employed upon the property which is seized are to be paid by the Government, whether the Government gets anything out of the seizure or not.

Mr. CHANDLER. Suppose they had a lien on the property, I ask the Senator from Connecticut?

Mr. PLATT of Connecticut. They had not.

Mr. CHANDLER. Had they not an equitable lien?

Mr. PLATT of Connecticut. Not at all. So when the Government goes down into North Carolina or Tennessee and seizes an illicit distillery, the men who have been at work in the illicit distillery making the moonshine whisky which is seized will come in with a bill asking the Government to pay them for their labor in the making of the illicit product.

Mr. CHANDLER. May I ask the Senator if they would not be chargeable with knowledge?

Mr. PLATT of Connecticut. Wait until I get through. Whether or not these persons are chargeable with knowledge we do not know.

Mr. PENROSE. I call the Senator's attention to the fact—I know he would not seek to do an act of injustice to poor men—that the Government of the United States was in actual receipt of the returns connected with this tobacco factory during the eight or ten days they had possession. The Government collected, as the report shows, over \$28,000.

Mr. PLATT of Connecticut. But, as I caught the reading of the report when it was read by the Senator from Missouri, this man swindled the Government out of \$150,000 of money, more or less, so that the Government has not got even by a long way.

When a brewery is seized or when any property is seized under any of the various statutes for violation of the revenue laws or the internal-revenue laws, are we to establish the principle here that everybody who has worked on that property is to be paid by the Government? I wish to insist that it is a very dangerous principle.

The PRESIDENT pro tempore. Is there objection to the consideration of the bill?

Mr. PLATT of Connecticut. I object, if an objection will take it over.

The PRESIDENT pro tempore. It will. The bill goes to the Calendar.

CHIPPEWA INDIANS.

Mr. KYLE. I present sundry papers relative to an agreement with the Turtle Mountain band of Chippewa Indians in North

Dakota. I move that they be printed together as a document to accompany Senate report No. 693, being the report upon Senate bill No. 166, to ratify and confirm an agreement with the Turtle Mountain band of Chippewa Indians in the State of North Dakota, and to make appropriation for carrying the same into effect.

The motion was agreed to.

JAMES A. TULLOSS.

Mr. GALLINGER. A member of the other House has sent me a memorandum, asking me to call up a pension bill for a soldier who is 90 years old, and an old Indian fighter. I think it ought to be passed. I therefore ask unanimous consent for the present consideration of the bill (H. R. 8686) granting a pension to James A. Tulloss.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to place on the pension roll the name of James A. Tulloss, late of Captain Terry's company, Tennessee Mounted Volunteers, for the protection of the Sabine frontier, and pay him a pension of \$8 per month.

Mr. COCKRELL. Let the report be read.

The report submitted by Mr. PRITCHARD May 25, 1900, was read, as follows:

The Committee on Pensions, to whom was referred the bill (H. R. 8686) granting a pension to James A. Tulloss, have examined the same and report: The report of the Committee on Pensions of the House of Representatives, hereto appended, is adopted, and the passage of the bill is recommended.

HOUSE REPORT.

The records of the War Department show that this claimant enlisted May 20, 1838, in Captain Terry's company, Tennessee Mounted Volunteers, for the protection of the Sabine frontier, and was discharged June 16, 1838. It is also a matter of record that in addition to this service of twenty-eight days he was allowed eleven days' travel pay, thus making the actual period of his recognized service thirty-nine days.

Mr. Tulloss made application for pension under the Indian war act of July 27, 1892, but the same was rejected May 25, 1894, on the ground that the time covered by the period of his enlistment was two days short of the time required by the law, and for the further reason that the southwest frontier or Sabine disturbances were not included within the provisions of said act.

The bill is accompanied by a petition, numerously signed and sworn to by citizens of Rhea County, Tenn., setting forth that claimant is 91 years old and very poor. The facts are also fully stated in the accompanying communication, addressed to the committee by the gentleman who presented the bill in the House:

C. M. COOK, Chairman, Committee on Elections No. 2, House of Representatives, Washington, D. C., March 22, 1900.

THE COMMITTEE ON PENSIONS:

In reference to the bill introduced by myself to pension Mr. James A. Tulloss, of Rhea County, Tenn., I have this to say: It appears that other soldiers of Indian wars are receiving a pension on thirty days' service. Mr. Tulloss was a soldier in one of these Indian wars, and served twenty-eight days.

I know him personally. He was at one time possessed of great wealth and was a man of influence and standing in the country, possessing the esteem and respect of all who knew him. After he became old and in his dotage he lost all his property, and is now poor and helpless.

Mr. Tulloss has always been a proud man and a charitable man. I do not believe that he would ever have asked for a pension except absolute necessity had obliged him to. I think he is entitled to a pension. He is one of the pioneers who protected our frontier in perilous times. He is now old and friendless, and the little aid which the Government may extend him will keep him out of the poorhouse. And it will not be required, in all human probability, but a few years.

Respectfully,

C. E. SNODGRASS.

The passage of the bill is recommended.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

THOMAS LUTZ STITT.

Mr. CHANDLER. I ask unanimous consent for the present consideration of the bill (S. 4787) to authorize the appointment of Thomas Lutz Stitt as an officer in the Navy.

The Secretary read the bill.

Mr. COCKRELL. Is there any report with the bill?

Mr. CHANDLER. I will say to the Senator that there is not any report.

Mr. COCKRELL. Will the Senator from New Hampshire please make a report on it now?

Mr. CHANDLER. I will make a statement. I had not time to write a report. The bill was reported by the Senator from New York [Mr. PLATT]. This young man is the only one of his class who is not in the naval service. He has a desire to go in, and he is recommended by naval officers as likely to be a very serviceable officer. The committee have avoided passing general bills to take back cadets and officers who have gone out of the service. They adopted the policy of not undertaking to put anyone back by general law, but to let each case stand upon its own merits. There have been almost no cases where there have been any special report. I think perhaps this is the only one. It met with the favor of the committee and the Navy Department, and enables this young man to take his place in the Navy, which he would have taken if he had continued in the service instead of voluntarily resigning some five or six years ago.

Mr. COCKRELL. Are there any other cases before the Committee on Naval Affairs?

Mr. CHANDLER. I think not one.

Mr. COCKRELL. If I am not very much mistaken, I introduced a bill for a gentleman in precisely this situation, or very nearly so—a bill which had been favorably reported in the Fifty-fifth Congress by the Senator from New Hampshire; and if I am not further mistaken, I gave him a copy of the bill and a copy of the report in the case, hoping that he might secure action again upon it by the Naval Committee. But I have never seen the bill or the report since.

Mr. CHANDLER. I shall be very glad to look up that case. I do not remember it; but I am stating my impression that there is no case of this kind or anything like this case that is pressed for consideration. I hope the Senator will not object to the consideration of this bill.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

Mr. LINDSAY. I ask the Senator why this young man did not go into the Navy when he left the Academy?

Mr. CHANDLER. There were some family circumstances that pressed upon him, the aid of his mother and, I think, his sister, and he thought he ought to resign and help them. Now he is able to go, and there is a very general desire, as he is the only cadet of the class not in the service, that he shall go back.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

JOHN D. HALE.

Mr. PETTIGREW. I ask unanimous consent for the present consideration of the bill (H. R. 5355) for the relief of John B. Hale, of Tilford, Meade County, S. Dak.

The Secretary read the bill; and, by unanimous consent, the Senate, as in Committee of the Whole, proceeded to its consideration. It proposes to pay to John D. Hale, of Tilford, Meade County, S. Dak., \$215.77, being a balance due by virtue of contract made with Lieut. J. M. Lee, acting Indian agent, for transportation of supplies from the Spotted Tail Agency to the Ponca Agency, Dakota Territory, dated October 20, 1877, and allowed and approved by the Indian Bureau.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

THOMAS HOYNE.

Mr. FOSTER. I ask unanimous consent to call up the joint resolution (S. R. 73) for the relief of Thomas Hoyne.

The Secretary read the joint resolution.

Mr. SPOONER. I wish to inquire of the Senator who has called up this measure why the claimant has not gone before the Committee on Indian Depredations?

Mr. FOSTER. I am not as familiar with this case as the Senator from Kansas [Mr. HARRIS], and I should like to have him make a statement.

Mr. KEAN. Is there a report?

Mr. HARRIS. All I know about it is that this old man had been at work on the Union Pacific. I know that fact and nothing further.

Mr. COCKRELL. To save time, I am satisfied that the joint resolution must necessarily lead to discussion. It is a Senate joint resolution, and action upon it to-night would not facilitate its final passage. It will be impossible to get it through the House. I suggest that it be passed over without losing its place on the Calendar.

Mr. FOSTER. I will withdraw the request for its consideration.

The PRESIDENT pro tempore. Objection is made, and the joint resolution takes its place on the Calendar.

NINTH REGIMENT PENNSYLVANIA INFANTRY.

Mr. KENNEY. I ask unanimous consent for the present consideration of the bill (H. R. 8487) for the relief of Col. Charles B. Dougherty and other members of the Ninth Regiment of Pennsylvania Infantry.

The Secretary read the bill.

Mr. DANIEL. I ask for the reading of the report in that case.

The PRESIDENT pro tempore. The report will be read.

The Secretary read the report submitted by Mr. MARTIN, from the Committee on Claims, May 31, 1900, as follows:

The Committee on Claims, to whom was referred the bill (S. 4826) for the relief of Col. Charles B. Dougherty and other members of the Ninth Regiment of Pennsylvania, beg leave to report and recommend that said bill do pass with the following amendments:

At the end of the first page, after the words "William Sharpe," strike out the words "four hundred and twenty-seven dollars and ninety-five cents" and insert "one hundred and ninety-seven dollars and ninety-five cents."

In the fifth line of the second page strike out, after the words "Edmund N. Carpenter," the words "four hundred and forty-seven dollars and fifty-five cents" and insert "three hundred and nine dollars and sixty-eight cents."

After the word "total," in the eleventh line from the top of the third page, strike out the words "five thousand nine hundred and sixty-three dollars and thirty-five cents" and insert "five thousand five hundred and ninety-five dollars and forty-eight cents."

House Report No. 313 is appended hereto, showing the reasons on which this report is based.

[House Report No. 313, Fifty-sixth Congress, first session.]

The Committee on War Claims, to whom was referred the bill (H. R. 3043) for the relief of Col. Charles B. Dougherty and other members of the Ninth Regiment of Pennsylvania Infantry, beg leave to submit the following report, and recommend that said bill do pass with an amendment.

This is a bill enacting that the sum of \$6,243.85 be appropriated to pay certain officers and members of the Ninth Regiment of Pennsylvania Infantry for personal property destroyed by fire on May 17, 1898, while en route from Mount Gretna, Pa., to Camp Thomas, at Chickamauga Park, Ga.

A board of survey was convened to investigate and inquire and fix the responsibility for the fire, which occurred Tuesday afternoon, May 17, 1898, by which the personal baggage and property of certain officers and men of the Ninth Regiment Infantry, Pennsylvania Volunteers, was destroyed by the burning of freight car No. 13475, on the Cornwall and Lebanon Railroad, between Mount Gretna and Conewago Station, in the State of Pennsylvania.

The board of survey met on May 24, 1898, and on August 27, 1898, the board made their report, in which they state or find as a fact "that the fire originated over the truck at the front end of the car, but whether from a hot box, sparks from the engine, or other cause your board is unable to report."

The said board of survey directed the officers and men of this regiment owning the private property packed in the said car to make out an itemized list of the articles belonging to them, and property constituting a part of their campaign outfit, that was destroyed by said fire. These lists were made out and filed with the board. The said board reported that they represent a fair appraisal of the market value of the personal baggage destroyed by said fire and belonging to respective officers and persons designated in the bill now before the committee, and recommended that the sufferers by the fire be paid \$6,243.85.

Your committee have carefully examined the accounts of the officers and men for the property so destroyed, and have stricken from the lists items that do not belong to and constitute part of the officers' campaign outfit.

Your committee are of opinion that the claimants should be reimbursed for their losses, and report herewith a substitute for the bill and recommend its passage.

Mr. DANIEL. I should like to hear the substitute read.

Mr. KENNEY. I will explain the substitute. The substitute proposes to amend the original by striking out \$427.95 and substituting \$197.95, and by striking out \$447.55 and substituting \$309.68, and by changing the total amount from \$5,963.35 to \$5,595.48.

Mr. DANIEL. I should like to inquire upon what principle the Government is considered to be liable for property destroyed on a railroad train, and whether the railroad company that had it in charge is not responsible for it. There is no statement in the report as to the idea upon which the Government is held responsible to pay for an occasion in the course of transportation on a railroad. I do not hear any explanation of the cause of the fire that destroyed the baggage, and I do not perceive the principle which is relied upon to hold the Government responsible. Unless that is explained I shall object to the bill.

The PRESIDENT pro tempore. Is there objection to its present consideration?

Mr. DANIEL. I object, Mr. President.

The PRESIDENT pro tempore. The bill will go to the Calendar.

JAMES T. ELLIS.

Mr. ALLISON. I move that the Senate take a recess for one hour.

The PRESIDENT pro tempore. The question is on the motion of the Senator from Iowa.

Mr. SULLIVAN. I ask the Senator from Iowa to withhold that motion.

Mr. ALLISON. I think we should take a recess now.

Mr. CHANDLER. I ask for a division on the motion. I think the Senator from Mississippi ought to have an opportunity to appeal to the Senator from Iowa.

Mr. SULLIVAN. I shall object to the motion.

Mr. ALLISON. I am willing to give such opportunity if I can hear one word the Senator says, but I can not.

Mr. SULLIVAN. I appeal to the Senator to withhold his motion. There are many matters that are important here, and will only take a little time and might be disposed of. While we are waiting to finish the business which will come from conference, we might dispose of some matters here that are not objected to at all.

Mr. ALLISON. If the Senator from Mississippi has any special matter that he wants to call attention to, I will withhold the motion for a moment.

Mr. SULLIVAN. I ask, then, for the consideration of the bill (H. R. 7483) for the relief of James T. Ellis, of Rankin County, Miss. It is not on the Calendar. It was reported to-day.

The Secretary read the bill, as follows:

Be it enacted, etc. That the Secretary of the Treasury of the United States be, and he is hereby, authorized and directed to pay to James T. Ellis, of Rankin County, Miss., the sum of \$100, to cover expenses and transportation paid out by said James T. Ellis to convey the remains of his son, Thomas Lee Ellis, late a private of Company F, First Regiment Mississippi Volunteers in the Spanish war, from Columbia, Tenn., to Fannin, Rankin County, Miss.,

including the cost of an attendant and funeral expenses, and a sum sufficient to pay the amount is hereby appropriated.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

Mr. SPOONER. Is there not a general law under which relief can be had?

Mr. SULLIVAN. No, sir; there is not.

Mr. PLATT of Connecticut. Of course it seems ungracious to question the passage of a bill at this hour in the evening with reference to the business of the Senate, but I should like to have the report read. I should like to ascertain upon what basis the Government can be called upon to pay this particular person, who spent money in the sad duty of carrying home and burying the body of his son.

Mr. SULLIVAN. I can not hear the Senator.

Mr. BURROWS. Let us have the report read.

Mr. PLATT of Connecticut. I should like to hear the report read.

The PRESIDENT pro tempore. The bill was reported to-day and the report is not in print.

Mr. SULLIVAN. The House report is here.

Mr. PLATT of Connecticut. Let the House report be read.

Mr. SULLIVAN. It is a unanimous report. I have the House report in my hand.

The PRESIDENT pro tempore. The Senator will send it to the desk to be read.

The Secretary read the report, as follows:

Mr. HENRY of Mississippi, from the Committee on War Claims, submitted the following report to accompany H. R. 7483:

The Committee on War Claims, to whom was referred the bill (H. R. 7483) for the relief of James T. Ellis, beg leave to submit the following report, and recommend that said bill do pass, with an amendment:

This is a bill enacting that the sum of \$100 be paid to James T. Ellis, of Rankin County, Miss., to cover expenses and transportation paid out by said James T. Ellis to convey the remains of his son, Thomas Lee Ellis, late a private of Company F, First Regiment Mississippi Volunteers, in the war with Spain, from Columbia, Tenn., to Fannin, Rankin County, Miss., including the cost of an attendant and funeral expenses, etc.

Mr. Ellis filed his claim in the office of the Auditor for the War Department for reimbursement, and it has been examined and disallowed for the following-named reasons, viz:

"It appears from the records of this office that soldier was discharged from service December 20, 1898. Having died subsequent to his discharge, no allowance can be made for expenses incurred in the transportation and burial of his remains."

In the Fifty-fifth Congress acts were passed to enable the Secretary of War to cause to be transported to their homes the remains of officers and soldiers who died at military camps, or who were killed in action, or who died in the field at places outside of the limits of the United States; and the sum of \$300,000 was appropriated for this purpose. (See volume 30, Stat. L., pages 730 and 1224.)

Under the above acts the War Department has paid \$208,415.00 bringing home the remains of officers and soldiers who died abroad, etc., leaving a balance, June 30, 1899, of \$91,584.40.

The claim of Mr. Ellis could not be paid under the acts above mentioned for the reason that his son did not die until three days after his discharge from the Army.

Your committee report back the bill and recommend its passage, with the following amendment:

In line 8 strike out the word "Lee."

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ROBERT J. CARR.

Mr. ALLISON. I renew my motion.

Mr. BATE. I should like very much if the Senator would allow one very small pension bill, House bill 9237, to be passed. I think as a special favor it ought to be granted.

Mr. ALLISON. I ask the Senator if it is a House bill?

Mr. BATE. It is a bill which has already passed the House and is on the Calendar.

Mr. ALLISON. If the Senator wants to run the risk that it will be lost in the course of its passage. It can not be enrolled and signed.

Mr. GALLINGER. Yes; I think it can.

Mr. CULLOM. The Senator had better hold it back and have it passed at the beginning of the next session.

Mr. ALLISON. If the Senator wants to take the chance of having the bill lost, I will listen to him and reserve the right to object.

Mr. BATE. It is not a request on my own part, but for an absent Senator, and there is a member of the House here who had it passed in that body and desired me to call it up. I will take my chance on it if you will allow me to do so.

The PRESIDENT pro tempore. The Senator from Tennessee asks for the present consideration of the bill (H. R. 9237) granting an increase of pension to Robert J. Carr.

There being no objection, the bill was considered as in Committee of the Whole. It proposes to place on the pension roll the

name of Robert J. Carr, late of Company F, First Texas Mounted Volunteers, war with Mexico, and to pay him a pension of \$20 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOSEPH M. SHAW.

Mr. ELKINS. I ask the Senate to proceed to the consideration of the bill (H. R. 9308) granting an increase of pension to Joseph M. Shaw. It is for the relief of an old soldier and is a very short bill.

The Secretary read the bill; and, by unanimous consent, the Senate, as in Committee of the Whole, proceeded to its consideration. It proposed to place on the pension roll the name of Joseph M. Shaw, late of Company F, First Regiment United States Cavalry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

RECESS.

Mr. McLAURIN. I ask unanimous consent for the consideration of the bill (H. R. 3799) for the relief of Stanley Snodgrass, of Jefferson County, Miss.

Mr. COCKRELL. What is the order of business?

The PRESIDENT pro tempore. The bill was reported this morning, and is not on the Calendar.

Mr. ALLISON (at 7 o'clock and 25 minutes p. m.). Pending the consideration of this bill, I move that the Senate take a recess for one hour.

The motion was agreed to; and at the expiration of the recess (at 8 o'clock and 25 minutes p. m.) the Senate reassembled.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House still further insists upon its disagreement to the amendments of the Senate numbered 50, 51, 52, and 53 to the bill (H. R. 10450) making appropriations for the naval service for the fiscal year ending June 30, 1901, and for other purposes; agrees to the amendment of the Senate to the amendment of the House of Representatives to the amendment numbered 58; further insists upon its amendment to the amendment of the Senate numbered 9 to the said bill; agrees to a further conference on the disagreeing votes of the two Houses thereon, and has appointed Mr. Foss, Mr. DAYTON, and Mr. CUMMINGS as managers at the conference on the part of the House.

The message also announced that the House had passed the following joint resolutions:

A joint resolution (S. R. 131) authorizing foreign exhibitors at the Ohio Centennial and Northwest Territory Exposition, to be held in Toledo, Ohio, in 1902, to bring to this country foreign laborers from their respective countries, for the purpose of preparing for and making their exhibits, under regulations prescribed by the Secretary of the Treasury; and

A joint resolution (S. R. 132) authorizing foreign exhibitors at the Pan-American Exposition, to be held in Buffalo, N. Y., in 1901, to bring to this country foreign laborers from their respective countries for the purpose of preparing for and making their exhibits under regulations prescribed by the Secretary of the Treasury.

ENROLLED BILLS SIGNED.

The message further announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by the President pro tempore.

A bill (S. 1794) for the relief of Fred Weddle.

A bill (S. 2438) to establish a fish-hatching and fish station in the State of West Virginia;

A bill (H. R. 4915) to amend the seventh section of the act entitled "An act to establish circuit courts of appeals, and to define and regulate in certain cases the jurisdiction of the courts of the United States, and for other purposes," approved March 8, 1891; and

A bill (H. R. 5763) to extend the coal laws to the district of Alaska.

NAVAL APPROPRIATION BILL.

The PRESIDENT pro tempore laid before the Senate the action of the House of Representatives insisting on its amendment to the amendment of the Senate numbered 9 to the bill (H. R. 10450) making appropriations for the naval service for the fiscal year ending June 30, 1901, and for other purposes; further insisting on its disagreement to the amendments numbered 50, 51, 52, and 53; agreeing to the amendment of the Senate numbered 58; and agreeing to the further conference asked by the Senate on the disagreeing votes of the two Houses thereon.

Mr. HALE. Mr. President, this is simply a formal message from the House that the conference asked for by the Senate has been agreed to. Since that the conferees have met and have agreed

upon a final report, which disposes of the entire subject in dispute. That report will probably be received from the House in the course of fifteen or twenty minutes. The papers should be sent back to the House.

STATEMENT OF APPROPRIATIONS.

Mr. ALLISON. Mr. President, a day or two ago the Senator from Nebraska [Mr. ALLEN], whom I do not see in his seat, requested me to present before adjournment a general statement respecting the appropriations for the current session, and I promised him that I would do so. I now have here tables showing the appropriations of the present fiscal year, ending on the 30th of June, 1900, and the appropriations for the next fiscal year, with certain memoranda explanatory of the tables.

Mr. HALE. Mr. President, this is a most important statement, and such a statement is always made at the end of each session, showing all the appropriations for the current and the next year. I ask that the Chair may enforce the rules of the Senate, and that we may have order so that we may hear the statement made by the Senator from Iowa.

The PRESIDENT pro tempore. The Senate will please be in order. [A pause.] The Senator from Iowa will proceed.

Mr. ALLISON. Mr. President, I was about to remark that this statement has been prepared in its details by the clerk of the Committee on Appropriations of the Senate and the clerk of the like committee of the House of Representatives. The statement made in the House of Representatives and in the Senate is the same. It is made up from the actual conditions of the appropriations from time to time.

The total appropriations for the current year, exclusive of what are known as permanent annual appropriations, amount to \$577,017,256.89, and those of the current fiscal year, ending on the 30th of June instant, amount to \$546,802,802.29. So that the appropriations this year are in excess of the appropriations for the current year \$34,748,454.60.

I have prepared a little table of my own, which I present.

Mr. PETTIGREW. I should like to ask the Senator from Iowa if the increase is not almost entirely caused by the Army?

Mr. ALLISON. I was about to deal with that subject.

The increases are chiefly in the appropriations for the Army, the Navy, the Post-Office, and items in the sundry civil bill.

There are some decreases, notably in the river and harbor appropriations. There is this year no river and harbor appropriation bill; and last year there was a river and harbor bill amounting to \$16,091,841.94. It so happens that this year we have a river and harbor appropriation in the sundry civil bill, amounting to more than \$12,000,000, being appropriations made under contracts provided for in the river and harbor bill of last year, and transferred into the sundry civil bill in order apparently to swell that bill; so that this year there is in that bill \$12,200,805.75 of river and harbor appropriations, all under contract, except those made for the Lower Mississippi, the Mississippi between Cairo and St. Paul, where we were able to secure a small appropriation of \$250,000, and also a small appropriation for the Missouri River at its mouth and upward. So that the total increase, as I have stated, is \$34,748,454.60.

The naval appropriation bill of last year was \$48,099,969.58, and this year it is \$65,080,916.67. The chief items of increase in the naval appropriation bill about to be agreed to are in the appropriations for the increase of the Navy, including the \$4,000,000 which we shall provide for in a few minutes for an armor plant.

Mr. PLATT of Connecticut. Is that included?

Mr. ALLISON. It is included, because it is an absolute appropriation. Although it may have in it a condition, yet the appropriation is absolute.

Although we have authorized an appropriation hereafter for the St. Louis Exposition, there is only an appropriation of \$10,000 in this bill for that purpose.

Mr. President, I do not intend to elaborate these tables in any observations I may make. I ask that they may be printed in the RECORD as the tables of the clerks of the Committees on Appropriations of the respective Houses.

I will state further that the Army appropriation bill for the next year amounts to \$114,220,095.55, and that for the current year to \$80,430,204.06, making an increase of \$33,790,891.49. Although the appropriations for the current year are only \$80,000,000, in round numbers, there are a considerable number of deficiency appropriations for the Army which are not included in the \$80,000,000.

I now ask that the tables may be printed in the RECORD.

The PRESIDENT pro tempore. Without objection, that order will be made.

Mr. JONES of Arkansas. I suggest that the tables ought to be printed as a document, as well as in the RECORD.

The PRESIDENT pro tempore. The Senator from Arkansas asks that the tables submitted by the Senator from Iowa and

ordered to be printed in the RECORD also be printed as a separate document. Is there objection? The Chair hears none, and it is so ordered.

Mr. ALLISON. It would be convenient to have both tables printed, if one is printed.

Chronological history of appropriation bills, first session of the Fifty-sixth Congress; estimates and appropriations for the fiscal year 1900-01, and appropriations for the fiscal year 1899-1900.

[Prepared by the clerks to the Committees on Appropriations of the Senate and House of Representatives.]

Title.	Estimates, 1901.	Reported to the House.		Passed the House.		Reported to the Senate.		Passed the Senate.	
		Date.	Amount.	Date.	Amount.	Date.	Amount.	Date.	Amount.
Agriculture.....	\$4,306,257.00	1900.		1900.		1900.		1900.	
Army.....	127,712,133.55	Apr. 7	\$4,131,800.00	Apr. 10	\$3,951,800.00	Apr. 23	\$3,950,120.00	Apr. 25	\$4,044,120.00
Diplomatic and consular.....	1,893,848.76	Feb. 14	111,600,414.55	Mar. 29	112,186,494.55	Apr. 16	114,951,590.55	May 3	115,428,590.55
District of Columbia ^a	7,657,773.31	Feb. 1	1,743,208.76	Feb. 7	1,743,708.76	Feb. 24	1,765,768.76	Mar. 10	1,774,668.76
Fortification.....	11,728,938.00	Mar. 5	6,752,019.31	Mar. 15	6,736,299.31	Apr. 6	7,457,755.31	Apr. 11	7,773,925.31
Indian.....	6,800,535.52	Mar. 19	7,003,488.00	Mar. 31	7,009,488.00	Apr. 27	7,783,628.00	May 4	7,753,628.00
Legislative, etc.....	25,019,269.91	Jan. 26	7,353,203.00	Feb. 3	7,264,538.00	Mar. 13	8,407,237.24	Apr. 9	8,515,337.24
Military Academy.....	702,282.99	Feb. 13	23,874,821.65	Feb. 17	23,889,993.65	do	24,155,800.30	Mar. 19	24,196,440.30
Navy.....	74,245,509.15	May 14	644,164.49	May 15	644,116.67	May 24	653,657.51	June 1	653,657.51
Pension.....	145,230,230.00	Apr. 5	61,209,916.67	Apr. 21	60,887,616.67	May 3	63,128,616.67	May 14	63,034,516.67
Post-Office ^b	110,777,800.00	Jan. 17	145,245,230.00	Jan. 19	145,245,230.00	Feb. 14	145,245,230.00	Mar. 5	145,245,230.00
River and harbor.....	c 19,993,741.31	Apr. 2	113,934,800.75	Apr. 26	113,293,400.75	May 4	114,053,538.75	May 21	113,618,238.75
Sundry civil.....	f 70,072,708.28	May 16	500,000.00	May 17	500,000.00	May 25	251,000.00	June 2	261,000.00
Total.....	606,143,028.78	May 2	61,586,715.95	May 5	61,501,265.95	May 23	65,812,930.95	May 31	65,732,832.92
Urgent deficiency, military and naval establishments.....			545,669,783.18		544,937,954.36		557,575,854.10		559,010,186.07
Urgent deficiency, naval establishment, printing, etc.....	\$16,000,000.00	Jan. 15	8,525,500.11	Jan. 17	8,527,500.11	Jan. 24	9,012,948.64	Jan. 25	9,012,948.64
Urgent deficiency, United States courts, etc.....		Mar. 8	1,439,580.00	Mar. 12	1,464,580.00	Mar. 20	1,543,724.40	Mar. 21	1,543,724.40
Deficiency, 1900, and prior years.....		Apr. 5	405,000.00	Apr. 5	405,000.00	Apr. 16	721,530.15	Apr. 16	721,530.15
Total.....	622,143,028.78	May 14	3,839,021.68	May 14	3,848,659.98	May 29	4,052,533.01	June 2	4,450,005.90
Miscellaneous.....	f 12,500,000.00								
Total, regular annual appropriations.....	634,643,028.78								
Permanent annual appropriations.....	132,712,230.00								
Grand total, regular and permanent annual appropriations.....	767,355,258.78								

Title.	Law, 1900-1901.		Law, 1899-1900.	
	Date.	Amount.	Date.	Amount.
Agriculture.....	1900.			
Army.....	May 25	\$4,023,500.00		\$3,726,022.00
Diplomatic and consular.....	May 26	114,220,095.55		80,430,304.06
District of Columbia ^a	Apr. 4	1,711,168.76		1,714,533.76
Fortification.....	June 6	7,576,600.31		6,834,535.77
Indian.....	May 25	7,383,628.00		4,069,902.00
Legislative, etc.....	May 31	8,198,080.24		7,504,773.91
Military Academy.....	Apr. 17	24,176,582.53		23,410,840.79
Navy.....	June 6	653,589.67		575,774.47
Pension.....	do	65,080,916.67		48,099,969.58
Post-Office ^b	Apr. 4	145,245,230.00		145,233,830.00
River and harbor.....	June 2	113,648,238.75		105,634,138.75
Sundry civil.....	June 6	d 561,000.00		e 16,081,841.94
Total.....	do	g 65,298,885.95		h 48,385,930.80
Urgent deficiency, military and naval establishments.....			557,837,744.43	482,552,299.79
Urgent deficiency, naval establishment, printing, etc.....			8,985,292.16	
Urgent deficiency, United States courts, etc.....			1,543,724.40	25,005,912.20
Deficiency, 1900 and prior years.....			728,536.15	
Total, regular annual appropriations.....			4,411,959.75	
Permanent annual appropriations.....				
Grand total, regular and permanent annual appropriations.....			573,517,256.89	517,558,212.05
			43,500,000.00	428,744,500.24
Amount of estimated revenues for fiscal year 1901.....			577,017,256.89	546,302,802.29
Amount of estimated postal revenues for fiscal year 1901.....			132,712,230.00	138,678,220.00
Total estimated revenues for fiscal year 1901.....			709,729,476.89	m 674,981,022.29

Amount of estimated revenues for fiscal year 1901..... \$500,000,000.00
Amount of estimated postal revenues for fiscal year 1901..... 107,773,253.92

Total estimated revenues for fiscal year 1901..... 607,773,253.92

^a One-half of the amounts for the District of Columbia payable by the United States, except amounts for the water department (estimated for 1901 at \$135,341), which are payable from the revenues of the water department.

^b Includes all expenses of the postal service payable from postal revenues and out of the Treasury.

c This amount is exclusive of \$15,582,626.68 to meet contracts authorized by law for river and harbor improvements included in the sundry civil estimates for 1900.

d In addition to this amount the sum of \$12,200,605.75 is appropriated in the sundry civil act to carry out contracts authorized by law for river and harbor improvements for 1901, and \$3,500,000 additional for river and harbor improvements for 1901, making in all \$16,261,605.75 for rivers and harbors for 1901.

e In addition to this amount the sum of \$8,918,197 is appropriated in the sundry civil act to carry out contracts authorized by law for river and harbor improvements for 1900.

f This amount includes \$15,582,626.68 to meet contracts authorized by law for river and harbor improvements for 1901.

g This amount includes \$12,200,605.75 to carry out contracts authorized by law for river and harbor improvements for 1901, and \$3,500,000 additional for river and harbor improvements for 1901; in all, \$15,700,605.75.

h This amount includes \$8,918,197 to carry out contracts authorized by law for river and harbor improvements for 1900.

i This amount is approximated. The amount of deficiency estimates does not include \$47,002,332.61 estimated for but reappropriated out of unexpended balances of former appropriations for military and naval establishments.

k This amount includes \$20,000,000 to carry out the obligations of the treaty between the United States and Spain, concluded December 10, 1898, and \$3,146,143.97 for payment of claims under the Bowman and Tucker acts and French spoliation and other claims.

l This is the amount submitted by the Secretary of the Treasury in the annual estimates for the fiscal year 1900, the exact amount appropriated not being ascertainable until two years after the close of the fiscal year.

m In addition to this amount, contracts are authorized to be entered into, subject to future appropriations by Congress, as follows: By the District of Columbia act, \$569,000; by the naval act, \$44,464,500; by the river and harbor act, \$23,866,324.13; by the sundry civil act, \$6,088,450; by miscellaneous acts, \$2,075,000; in all, \$77,047,374.13.

Comparison of appropriations, fiscal years 1901 and 1900.

Title.	Law 1900-01.	Law 1899-1900.	Increase.	Decrease.
Agriculture.....	\$4,023,500.00	\$3,726,022.00	\$297,478.00	-----
Army.....	114,230,065.55	80,430,204.00	33,789,861.49	-----
Diplomatic and consular.....	1,771,168.76	1,714,533.76	56,635.00	-----
District of Columbia.....	7,576,869.31	6,834,535.77	742,333.54	-----
Fortifications.....	7,363,628.00	4,909,902.00	2,473,726.00	-----
Indian.....	8,168,069.24	7,504,775.81	663,313.43	-----
Legislative, etc.....	24,170,532.53	23,410,840.79	765,691.74	-----
Military Academy.....	653,569.67	575,774.47	77,815.20	-----
Navy.....	65,080,916.67	48,009,969.58	16,900,947.09	-----
Pension.....	145,245,230.00	145,233,830.00	11,400.00	-----
Post-Office.....	113,648,238.75	105,634,138.73	8,014,100.00	-----
River and harbor.....	561,000.00	16,091,841.94	\$15,530,841.94	-----
Sundry civil.....	65,208,885.95	48,385,930.86	16,912,956.00	-----
Deficiencies.....	15,679,512.46	25,006,912.26	9,326,399.80	-----
Total.....	573,917,256.89	517,558,212.05	56,816,286.58	24,857,241.74
Miscellaneous.....	8,500,000.00	25,744,500.24	25,244,500.24	-----
Total regular appropriations.....	577,017,256.89	546,302,802.29	80,816,286.58	50,101,831.98
Permanent annual appropriations.....	132,712,230.00	128,678,220.00	4,034,000.00	-----
Grand total.....	700,729,476.89	674,981,022.29	84,850,286.58	50,101,831.98
Net increase.....			34,748,454.60	-----

LAND TITLES IN MISSISSIPPI.

Mr. SULLIVAN. I ask for the present consideration of the bill (S. 3513) to quiet the titles of certain lands in the State of Mississippi, and for the relief of the estate of Eli Ayres, deceased.

The PRESIDENT pro tempore. The bill will be read to the Senate in full for its information.

The Secretary proceeded to read the bill.

Mr. PLATT of Connecticut. Mr. President, that claim is a contested one. It involves a large amount of money and can not be considered except with a long debate, and I object to it.

The PRESIDENT pro tempore. Objection is made.

Mr. SULLIVAN. Mr. President, while that is true, the bill has been reported here time and again, and has passed time and again. Of course, if objection is made, it goes over; but if the bill simply were to be read, I think Senators would not object to it.

Mr. PLATT of Connecticut. That bill has been before the Committee on Indian Affairs for the last fifteen years. It has been the subject of innumerable hearings and considerations, and it has now been sent to the Committee on Claims and reported back. It can not be understood in a moment. The reading of the report would take two hours.

Mr. COCKRELL. We have plenty of time. Let the report be read.

Mr. PLATT of Connecticut. I have no objection, if the Senate is willing to listen to the report.

Mr. SULLIVAN. If, after the reading of the report and after full hearing, objection is to be made and the bill is not to be heard, it would be idle to do that.

The single thought is this: Since 1838 the money paid for that land has been kept from this man. It is not a matter of the late civil war. It is a matter of refunding the money to a man who paid it to the Government. There never has been an adverse report on this case. It has been time and again reported favorably here and in the other House. There is no reason why the bill should not pass.

Mr. COCKRELL. Let the bill be read in full.

The PRESIDING OFFICER. Objection was made to the further consideration of the bill, and it has gone to the Calendar.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had passed the following bills; in which it requested the concurrence of the Senate:

A bill (H. R. 8856) amending the act of August 15, 1894, entitled "An act making appropriations for current and contingent expenses of the Indian Department and fulfilling treaties and stipulations with various Indian tribes for the fiscal year ending June 30, 1895," and for other purposes;

A bill (H. R. 10498) to create a new division in the western judicial district of the State of Missouri; and

A bill (H. R. 11599) to amend an act to incorporate the Supreme Lodge of the Knights of Pythias.

The message also announced that the House had passed the bill (S. 3901) to provide an American register for the barge *Davidson*.

ENROLLED BILLS SIGNED.

The message further announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by the President pro tempore:

A bill (H. R. 437) granting a pension to Mary E. Reynolds;

A bill (H. R. 5355) for the relief of John D. Hale, of Tilford, Meade County, S. Dak.;

A bill (H. R. 8686) granting a pension to James A. Tulloss;

A bill (H. R. 9237) granting an increase of pension to Robert J. Carr; and

A bill (H. R. 9308) granting an increase of pension to Joseph M. Shaw.

HOUSE BILLS REFERRED.

The bill (H. R. 8856) amending the act of August 15, 1894, entitled "An act making appropriations for current and contingent expenses of the Indian Department, and fulfilling treaties and stipulations with various Indian tribes for the fiscal year ending June 30, 1895," and for other purposes, was read twice by its title, and referred to the Committee on Indian Affairs.

The bill (H. R. 10498) to create a new division in the western judicial district of the State of Missouri was read twice by its title, and referred to the Committee on the Judiciary.

The bill (H. R. 11599) to amend the act to incorporate the Supreme Lodge of the Knights of Pythias was read twice by its title, and referred to the Committee on the District of Columbia.

CHARLES HURRLE.

Mr. FORAKER. I ask unanimous consent for the present consideration of the bill (S. 3063) for the relief of Charles Hurrie.

The PRESIDENT pro tempore. The Senator from Ohio asks unanimous consent for the present consideration of the bill named by him, which will be read for the information of the Senate.

The SECRETARY. The bill is reported from the Committee on Claims with an amendment, to strike out all after the enacting clause and insert

Mr. COCKRELL. Let the original bill be read. We want to hear what is stricken out.

The Secretary read the bill, which had been reported by the Committee on Military Affairs with an amendment, to strike out all after the enacting clause and insert:

Mr. COCKRELL. Let the report made by the Senator from Montana [Mr. CARTER] be read. It is not very long.

The Secretary read the following report, submitted by Mr. CARTER March 12, 1900:

The Committee on Military Affairs, to whom was referred the bill (S. 3063) for the relief of Charles Hurrie, having had the same under consideration, report the bill back to the Senate with the recommendation that it do pass with the following amendments:

Strike out all after the enacting clause and insert the following:

"That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay Charles Hurrie, late of Troop E, Sixth United States Cavalry, \$150 in full for all his services as post interpreter at Fort Apache, Ariz., from the date of his discharge until July 1, 1881."

The bill as amended proposes to pay Charles Hurrie for services rendered as interpreter at Fort Apache, Ariz., from May 4 to June 30, 1881, inclusive, at the rate of \$75 per month.

There is no question as to the services rendered by the claimant, as appears by the testimony of Thomas Cruse, first lieutenant and regimental quartermaster Sixth Cavalry, and commanding Company A, Indian scouts, at the date above mentioned, May 4 to June 30, 1881. John Martin, sergeant Troop E, Sixth Cavalry; Michael Higgins, Company E, Sixth Cavalry; Peter Rennie, Troop D, Sixth Cavalry; and _____, Troop E, Sixth Cavalry, all certify to the service rendered and corroborate the claim made by Hurrie.

Peter Rennie and John Halligan also make affidavits in due form as to the rendition of the services, under date of July 23 and 24, 1894, respectively.

The service is also admitted by the Third Auditor of the Treasury, under date of December 26, 1896, in communication in which, among other things, he says:

"The records show that the claimant, Hurrie, was on daily duty as post interpreter at Fort Apache, Ariz. * * * But as this duty did not constitute regular day's labor, he is not entitled to extra pay therefor."

The Third Auditor, in the same communication, says:

"The money accounts of Lieuts. H. P. Perrine, W. H. Carter, and F. G. Hodgson, Sixth Cavalry, and acting assistant quartermasters at Fort Apache, Ariz., show payments to claimant as interpreter from July 1, 1881, to September 23, 1881, at \$75 per month, and from September 24 to December 2, 1881, at \$100 per month, and from December 3, 1881, to September 23, 1882, at \$75 per month."

The service of claimant is fully established, and the official records and accounts show that the claimant was paid even a higher rate for similar services than is fixed by the pending bill, and in all equity we think he is clearly entitled to the relief he seeks and which the bill aims to provide.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

Mr. SULLIVAN. I object, Mr. President.

The PRESIDENT pro tempore. Objection is made, and the bill goes to the Calendar.

PUBLIC BUILDING AT ABERDEEN, S. DAK.

Mr. KYLE. I ask unanimous consent for the present consideration of the bill (S. 4652) to increase the limit of cost for the

purchase of a site and the erection of a building thereon at Aberdeen, S. Dak.

The PRESIDENT pro tempore. The Senator from South Dakota asks unanimous consent for the present consideration of the bill named by him.

Mr. COCKRELL. Mr. President, it is manifest that any of these Senate bills that pass will not be benefited thereby; and I suggest that we take an informal recess until the conference report on the naval appropriation bill is received from the House. It is simply a waste of time to take up these bills.

Mr. KYLE. I hope the Senator from Missouri will waive that motion for a moment.

The PRESIDENT pro tempore. The Chair understands the Senator from Missouri to make a motion.

PROPOSED RECESS.

Mr. COCKRELL. I suggest that the Senate take an informal recess.

Mr. HALE. Mr. President—

Mr. COCKRELL. I will yield to the Senator from Maine.

Mr. HALE. Mr. President, the only appropriation bill that has not been passed is the naval appropriation bill. At the last conference by the committees of the two Houses a final agreement was reached disposing of all the amendments that were in controversy between the two Houses. Under the rules, the first report of that conference has to be made in the House of Representatives, which met to-night at 8 o'clock. I am expecting to get the report from the other House at any time within the next fifteen minutes or half an hour. Under these circumstances I do not object to a recess for half an hour.

Mr. CARTER. Mr. President, if the Senator from Maine will allow me, the time he suggests for a recess might, I think, be profitably employed in permitting some of the anti-expansionists in the Chamber to submit views on the result of the Oregon election.

Mr. HALE. Very well; that subject might be taken up by unanimous consent.

POLICY OF THE REPUBLICAN PARTY.

Mr. CARTER. In 1896, Mr. President, the State of Oregon went Republican by about 2,000 majority. In 1898 Mr. TONGUE was elected a Representative from the State of Oregon by about 65 majority, and, at the alleged peril of his political life, that Representative supported every measure of the Administration, including the Porto Rican tariff.

It now occurs that in an off election, not one contemporaneous with the Presidential election, when the full vote is drawn out, the State of Oregon gives over 10,000 majority for the Republican ticket at large; and this Mr. TONGUE, who cast such an obnoxious vote on the Porto Rican tariff, instead of being annihilated, has a known majority of over 2,000, and the back counties are not yet heard from fully. [Laughter.]

These matters seem to be instructive, and, instead of wasting time in a recess, it does seem to me that an explanation might probably be offered by those who think that the anti-expansion sentiment in this country has been growing lately.

We have heard much during the last few months—

Mr. HALE. Let me say to the Senator here that on the suggestion of the Senator from Missouri—

Mr. MASON. May I be permitted—

Mr. HALE. I hope the Senator will wait a moment, and allow me to say that the Senator from Missouri yielded; and, so far as I am concerned, I am only interested in getting the appropriation bill through. If the Senator from Missouri, who has made the suggestion for a recess, accepts the suggestion of the Senator from Montana that he desires some one to explain the effect and the causes of the result of the Oregon election, I have not the slightest objection. I shall not interpose the appropriation bill while the Senator from Missouri or any of his friends are engaged in the task of explaining the result of the Oregon election.

Mr. COCKRELL. If the Senator from Montana will introduce a resolution declaring the Senate of the United States to be a political debating club, then I will enter upon it. [Laughter.]

Mr. CARTER. Mr. President—

Mr. HALE. I yield to the Senator from Montana for the purpose of introducing such a resolution. [Laughter.]

Mr. CARTER. Certainly. Mr. President, I have thought for some months past that the legitimate functions of this body had been perverted, that it had ceased to be a deliberative assembly and had become a forum not only for political discussion, but a point from which the most vile, unseemly abuse was hurled at men in public and private station. The purposes of the Administration, laudable and honorable at all times, have been impugned at all times. This is nothing new, however.

The Senator from Connecticut [Mr. HAWLEY] this afternoon expressed some alarm lest the people of the country might become impregnated with false ideas of the rectitude, the honor and

decency of public men by reason of the constant abuse heaped upon them from this Chamber. No such apprehension need be indulged in, Mr. President. The things we have heard during the last few months of this session are not new.

It will be borne in mind by those familiar with the elementary parts of our political history that the most vilely accused man who ever occupied the Presidential chair was George Washington. It will be remembered that during the wild, weird days of the French revolution an emissary of the revolutionary government was sent over to the United States for the purpose of engaging the struggling Republic in the cause of the French Revolution. A party sprung up in this country to advocate immediate participation in the struggles then going on in France.

President Washington, truly and properly conceiving the purpose of the Government and its legitimate place among the nations of the earth, declined to be drawn into the controversy. The fact of his having declined resulted in the assembly of a mob in the streets of Philadelphia, and that mob threatened to take George Washington out of his residence and hang him to a lamp-post.

The legitimate descendants of the class of people who made up that mob, from an intellectual point of view at least, have been continually urging the President of the United States, and the Senate as well, to engage this country in a foreign conflict with which we have nothing whatever to do. I have no doubt that their feelings have run sufficiently high to inspire the persons who spoke upon this floor on the Boer war resolutions to head a mob to go up to the White House and take the President of the United States out and attempt to hang him to a lamp-post, precisely as the mob thought of hanging Washington during the time of the French Revolution.

The sympathy of the President has been by him properly separated from his plain official duty. He proposed friendly mediation between Great Britain and the South African republics. His offer being declined, he wisely avoided plunging the country into war. His prudence is the alleged offense complained of. He may safely leave the decision of the case with the people.

Mr. President, the man to be abused in this country, ranking in degree next to George Washington, was the venerated Abraham Lincoln. In this Chamber, and in another Chamber as well, during the dark days of this Republic, Mr. Lincoln received about the measure of abuse heaped upon the President of the United States during this session of Congress. It seems incredible, in the light of history, that men could have been found sufficiently base to have impugned every motive of Mr. Lincoln and to have denominated the men who were fighting for the salvation of the Republic as Lincoln's hirelings, and yet it is a lamentable fact that between 1861 and 1865 such men spoke on the floor of the Senate.

The next man to come to face a pitiless storm of unjust and hostile criticism was the great, silent soldier of the Republic, General Grant. Who does not recall that in 1872, instigated by a few irregularities in the administration of the internal-revenue laws at St. Louis, there arose in this Chamber and elsewhere a body of men who openly charged that General Grant, then President of the United States, was engaged in speculations and dishonorable dealings in connection with the whisky ring at St. Louis. Some Republicans were induced to sympathize with that assumption, and the Liberal Republican party of 1872 found its being in the assumption.

Washington was reelected, notwithstanding the violence of the mob. Lincoln was reelected, notwithstanding the vituperation and abuse which were hurled upon him with pitiless severity. General Grant was reelected, notwithstanding the manner in which he was assailed in the campaign of 1872 and prior to the opening of that campaign. These lessons of the past are useful as matters of reflection now. They convey to us with unerring certainty the conviction that the body of the American people are, in the last analysis, not only intelligent, but truly just.

Acting upon the same impulse of patriotism, guided by the same penetrating intelligence of days gone by, the people at the coming election will see through the vapor and the mist, will see through the mud and the dust which have been cast at this Administration, and, in my humble judgment, next November will find recorded for McKinley as pronounced a victory as that given for Lincoln in 1864 or for Grant in 1872. [Applause in the galleries.]

The PRESIDENT pro tempore. No applause is permitted in the galleries; and if it is repeated, the Sergeant-at-Arms will clear the galleries.

Mr. CARTER. The first gun of this campaign has been fired. In Oregon 2,000 majority of 1896 has been swelled to 10,000 majority in 1900, and that, too, in the face of the Porto Rican tariff, in the face of the expansion of our sovereignty over the Philippines and over Porto Rico; yea, too, and in the face of the misfortune which occurred through the erring, wandering way of a man said to have become a wretched criminal in Cuba.

The people of this country are not going to decide the next Presi-

dential election upon a case of grand larceny in Cuba. From the beginning of time to this hour human experience has taught and now teaches that human nature is frail and weak, and that it occasionally happens that men, while doing the best they can to follow the paths of rectitude, will fall into the ways of crime.

In the course of four years of an Administration that has made more appointments to civil and military life in this country than any preceding in the country's history there seems to have been but a single individual who is charged with a felony because of criminal conduct in public office. The action of the Administration with reference to this case is not being overlooked by the people of the country.

The Administration can not be held responsible for the honor, the integrity, and the fidelity of every one of the hundreds of thousands of men employed in the Government service, but the Administration can be held responsible for a prompt and vigorous prosecution of wrongdoers. In the Cuban case let the facts bear witness to the country that from the moment of the first disclosure up to this hour vigilance has not been relaxed and that prosecution has gone forward with all the power of the Federal Government behind it. That prosecution will not be relaxed until justice shall have been done and the guilty, if guilty persons there be, adequately punished. The people of Oregon understood this, and their verdict has been recorded.

We have been told in the course of the summer and the preceding spring and winter that mistakes have been made in the Philippine Islands; that Admiral Dewey had dipped colors to the Filipino flag; that one of our gunboats had escorted some little Filipino gunboat up the coast a few miles. Does anybody suppose that trivialities of this sort are going to turn the Presidential election of 1900?

Does anybody suppose the dipping of a flag in Manila Bay, if that happened to have been done, or the firing of a salute of any kind to anybody will cause the American people deliberately, after mature judgment passed upon the facts, to reverse the wheels that are spinning in the factories now or again call forth from the body of honest men the army of tramps that has disappeared from the face of this country under the inspiration of Republican legislation?

Does anybody suppose that the people of this country, because of little incidents here and there, will of their own free choice elect to go back from the prosperous times which surround us now, through the deep, dark, dripping tunnel through which the country was pushed between 1898 and 1897? Why, Mr. President, inconceivable! The Oregon election in trumpet tones answers nay to that proposition.

But it is said we have launched upon a shoreless sea of imperialistic adventure, and that some wise man from somewhere must be raised up by the people to call the country back to the old-time principles of the Government as understood by our fathers. What is there to this? As a result of a war we acquired sovereignty over the Philippine Islands. That sovereignty is as clearly established and our title is as firm as the title of any government on the globe to any soil over which it asserts its right to govern.

A rebellion broke out, a tribal warfare arose in one island, possibly in two or three islands. Soldiers were sent to suppress the insurrection. The insurrection was suppressed. Nothing remains of it but remnants of the old rebellion in the form of guerrilla bands, consisting, I doubt not, of the soldiers of fortune on the islands, who would rather act as freebooters than perform honest labor in the fields. This guerrilla warfare is being dealt with now. Before the summer fades away it will have been disposed of as completely as it is possible to dispose of guerrilla warfare in the midst of such a population as we have to deal with there.

What is the future to bring forth after this guerrilla warfare shall have been suppressed? Are we to establish despotic government in the Philippine Islands? Are we to establish a tyranny there and to deprive the people of their rights? Are we to do anything in the Philippine Islands that any rational, well-regulated Administration of the Government of the United States would not feel constrained to do? I think not. The purpose is to give to the people of the Philippine Islands self-government as rapidly as they become capable of self-government. As soon as they become capable of protecting life and property in the respective islands, we will give to them the task of protecting life and property, precisely as we are doing through the archipelago to-day.

This process will go on until ultimately, benefited by our civilization, uplifted by our example, guided by the genius of the American people, they will have such government in the islands of the Philippine Archipelago as would have been utterly impossible had we not made our advent into those islands. There is no imperialism in this. It is the discharge of a great national obligation that has fallen to us through the fortunes of war. The people of the United States will understand the situation about as well as the people of Oregon understood it.

Assuming, for instance, that Mr. Bryan is to be elected President, let me ask what can he do, what dare he attempt to do, in

the face of the American people that this Administration will not do in the prosecution of the policy it has established and maintained in the islands up to this hour and is determined to prosecute to the end? Would you have the Army flee from the country and turn the Philippines loose as political derelicts in the Pacific Ocean, to be divided and subdivided and made the plunder of rapacious nations? I misconceive the thought and judgment of the American people if it would be their purpose to withdraw the Army or tolerate the flight in disgrace from the land they now hold and from the stations being governed.

No, Mr. President, the future for the Republican party is full of hope, and consequently the country is full of hope. The wheels of the factories in New England, South Carolina, and elsewhere are destined to continue to turn for the next four years as they have for the past four years. The railroads will be called upon to order new freight cars each and every day precisely as they have been calling for new freight cars for every day for the last three years.

The farmers, finding a new market on the Pacific Ocean for their grain and produce, will begin to feel the benefits of a great oriental trade. The farmers are not wanting in clearness of perception. They understand that the raising of a surplus in this country is of little avail unless a market can be procured for that surplus. It is known that the markets of Europe, overcrowded and the scene of keen competition from everywhere, can not but be depressed by great additions from our newly opened fields.

We must find a market in the Orient for the products of our farms or cease to grow agriculturally in this country. That market is available. Going about, through the Suez Canal, a distance of 11,000 miles, we find the German Emperor endeavoring to get a lodgment in the Orient. And for what? For the sale of German products. We find the French Republic entering that great Asiatic field for the purpose of opening up new markets for its goods and the product of its industries. We find England, and even Italy, endeavoring to participate in this newly developed and developing field. Russia, with her mighty railway system extending across Siberia and up into China, is reaching out for that market.

It is the disposition of the people of the United States, in my humble judgment, to insist that this Government of ours shall not stand passively by and permit the opportunity of the hour to pass from them. The function of the Government in this particular is very clear to my mind. The people individually can not cope with all the governments in the world. We must send out a police force over the Pacific Ocean which will protect our commerce floating on all the seas and abiding in every port.

We must have it understood that where an American merchant or an American shipowner makes a contract that contract will be enforced with the strong arm of this Government, and that hereafter no American merchant or sailor will be humiliated by being compelled to pass the American consulate and go for protection in his right to the British, the German, the French, or some other consulate, as unfortunately has occurred in the past.

Mr. President, we are upon the threshold of a century of mighty promise. We have unlimited resources in the United States. Our agricultural possibilities have scarcely been developed to the extent of a meager fraction. With millions of acres of land still unclaimed and unreclaimed, with a people of superior intelligence, with a minimum of illiteracy compared with any other people on the globe, with our railroads constructed to such an extent that we reach every center of industry and every center where raw materials are available, we have the ability to push our marketable products to tidewater with the least possible delay.

What we need is transportation on the sea, and that transportation on the sea will avail us little unless we have the naval force to protect it and sustain our merchants in their just demands everywhere. We can not protect the naval force in turn unless we have the coaling stations and landing places where our naval and merchant vessels may be secure in coal, shelter, and repairs.

This calls, then, for the establishment of our merchant marine, for the development of our Navy, not to fight the nations of the earth, not to bully the weak nor to dare the strong, but to police the seas and protect American rights wherever they may be menaced. The merchant marine and naval power going hand in hand on a mission of peaceful commerce will carry our civilization and knowledge of our institutions with them. Trade throughout the centuries has been the great civilizing agency of the world. Trade has opened the way for the missionary. Trade has made it possible for governments to extend their power, for people to grow rich and be able to do good.

Our future points to the development of commerce upon the Pacific Ocean, and that, too, in a marvelous degree, during the next quarter of a century. The first year of the quarter of a century is at hand, and a trade is opening which will eclipse on the Pacific the commerce of any ocean on the globe—a commerce beside which the commerce of the Atlantic will pale into insignificance.

There are 250,000,000 people on the other side of the Atlantic.

They largely produce the same kind of things we produce. We sell them only enough to fill up deficiencies here and there. On the west side of the Pacific, within 2,000 miles of Manila, more than half the population of the globe resides. China, Japan, Korea, the Philippines, and all the islands and smaller states connected, promise a trade which is visible to the eye of every enterprising nation in Europe and of every enterprising merchant in Europe as well. Our people are not blind to the opportunity. By all the rules the oriental trade is chiefly ours.

Where the Englishman is compelled to go from Liverpool through the Suez Canal, the Gulf of Aden, and the Red Sea, waters difficult of navigation, under tropical suns, 11,000 miles to Hong-kong, we reach the same point at 5,000 miles from our Western coast across an ocean in the temperate zone, and we send forth our ships from shores that are capable of producing each and every article of trade or commerce demanded by the vast Oriental population.

If this be not a vain vision, if this be not a long-drawn picture of the imagination, if it is in truth a reality that great opportunities exist for the extension of trade and commerce and civilization to the West, then we are properly extending our boundaries to the end that we may be able to protect our merchants, find a home for our Navy, and put our country in position where it will give to our own citizens at least an equal chance in the struggle. We are to-day in a splendid position in the Pacific.

The group of Aleutian Islands, constituting a part of Alaska, reach down to within about a thousand miles of Yokohama. Out in midocean we have the Hawaiian group. We annexed the Hawaiian Islands in the midst of the same abuse and vilification that marks our progress now with reference to the Philippine Islands. Yet all may see now, and none will question, that the acquisition of the Hawaiian Islands, coming in the course of nature and under nature's laws, was wise, prudent, patriotic, and farseeing as a policy.

The people who criticised the acquisition of the Hawaiian Islands but a short time ago have ceased to criticise now. They accept the logic of the situation. The individual who would now repeat the puerile, trifling insinuations, arguments, and suggestions that were made upon this floor with reference to the annexation of the Hawaiian Islands would be considered a fit subject for transportation over the branch to St. Elizabeth's Asylum for the Insane. People move on. The carping critics, well meaning in their day, and I do not impugn their motives, have moved up, and they now see what was visible to clearer minds a long time ago.

In the regular order of intellectual development these same people will move up to the Philippine situation. They will cease to regard their own Government as always in the wrong. They will reach a point where they will approve of its action and lend it a helping rather than place upon it a hindering hand; and, within a briefer term than anyone would credit now, I believe the American people, without a dissenting voice, will as clearly approve the action of this Government with reference to the Philippine Islands as they now approve the action of the Government with reference to the Hawaiian Islands.

The same is true of Porto Rico. We may have trials and difficulties; we may have to try some experiments; we may here and there find a dishonest servant; but we will profit by the experience. We will profit by our own failures. We will punish those who prove faithless to their trust, and punish them with a severity that will be a lesson to the people of the country in which they perpetrated the wrong.

We will thus move forward, Mr. President, and before the middle of the next McKinley Administration shall have been reached we will have the Democratic party looking for some other issue. They will be tenting on what will be to us an old camp ground, and we will probably have moved forward to another proposition, which they will combat with the great intelligence and vigor with which they have combated us on each and every proposition that has been presented during this Administration.

We are glad to have the opposition, Mr. President. It is wholesome; it is useful. We do not hold it in contempt because the people of the country at large condemn it so liberally. It helps us along with administration. A good, vigorous, honest minority is one of the safeguards of free government. Fair criticism, justly and forcefully made, is a great and useful corrective. No voice should be restrained; no tongue should be held in peace. Let everyone speak out his thoughts. But the procession will move on just the same.

I would like, Mr. President, after submitting these few desultory observations on the results of the Oregon election to have some of the brethren tell us how they feel. [Laughter.]

Mr. MASON. Mr. President, upon the invitation of the distinguished class leader who has just invited a word from the brethren, I feel that I ought to say a word, not particularly about the Oregon election nor to deal especially with the war in the Philippine Islands.

I should have been contented to have been silent if he had not suggested in that way which he has, so seductive and apparently so honest, that those of us who have been sympathizing with the South African Republic want to get this country into the same fix that the French emissaries did when they besought the assistance of this country. Let me say to the Senator in the first joy of the first gun, if we have carried Oregon for the Republican party by an increased majority it is not because we have failed to say a word of sympathy for the struggling Republic, but in spite of our failure.

Mr. President, I never knew until this evening that I had the elements of greatness. I never knew it until the distinguished Senator told how great men are abused. Since I have differed with my colleagues upon this side of the Chamber in some of the details of legislation the abuse has been so universal and pitiless, as my friend says, that I have hardly dared to open a newspaper for the past six months. If abuse is evidence of greatness, Mr. President, I have great hopes for my future prospects. [Laughter.]

I want to say to the Senator, if we have won a victory in Oregon it is not because of the war in the Philippine Islands. Let us not go out upon the theory that we are perfect. The perfect people die young. One lady said that she had heard of but one perfect person and that was her husband's first wife.

Let us understand each other on this first gun. Does the Senator think that because we wanted to sympathize with the South African Republic and because it has been the policy of the majority of this Chamber to refuse to do it, that that is to bring help to our party? Careful consideration and a husbandry of resources in my neighborhood does not so recommend itself.

I have not sought to make political capital upon the resolution which is now properly before the Senate, I may say. We have not besought this Government to enter on war. We have not been a part of the mob, planning either for the life or the character of the President of the United States. Whatever may have fallen upon the ears of the distinguished Senator from Montana, never in this Chamber since I have been here have I heard one Senator speak ill or unkindly of the distinguished gentleman who now presides as President of the United States.

That we may differ in some points argues, possibly, that we are mistaken, but surely that we are not afraid to express an opinion. I stand here for expansion as much as the Senator from Montana. I voted for the annexation of Hawaii. I believe it was a good thing. But if it took 65,000 men to destroy the lives of the people, to destroy the Kanaka and force him under my flag, I would never vote for it.

There is a vast difference between expansion and explosion, and I call upon the Senator now to say whether or not in all the history of the growth of this country we have ever put the flag over an unwilling people before.

Mr. CARTER. Does the Senator wish an answer now?

The PRESIDING OFFICER (Mr. KEAN in the chair). Does the Senator from Illinois yield to the Senator from Montana?

Mr. MASON. Certainly.

Mr. CARTER. Mr. President, it is a fact recorded in history and not challenged anywhere that President Jefferson ordered the Army of the United States to sustain the civil officers sent into Louisiana without the consent of the people—yea, against their will. It is recorded that the first governor who went into the city of New Orleans met hostile faces everywhere and a disposition to fight all along the line.

Mr. MASON. Mr. President, talk about resistance in the acquirement of any other territory heretofore taken by the United States is so unfair, and manifestly unfair, that it almost needs no refutation by anyone familiar with the facts of history. Never before have we bought land with notice from the people in possession that they claimed it. Never before have we sent an army to destroy the lives and homes of people.

Mr. President, why should the Senator take all the credit to the Republican party for the war in the Philippines? Every Democrat in the United States was in favor of it. The great leader of Democracy in New York, Mr. Croker, joined with all the rest of you in shouting for expansion, and even the distinguished Senators up in New England, particularly from Connecticut, said, "Let us go on and do God's service so long as we do not interfere with the Connecticut wrappers." [Laughter.]

No, Mr. President, there are just as many good Republicans who do not agree with that as there are who do agree with it, and it is no test of party loyalty, it is no test of patriotism. I deny the right of any man to question my loyalty here to my country or to my party because I have those old-fashioned views that were born in my blood and bone, and I can not get out of the idea that the flag of my country ought to be put above no country against the will of the people. As I said before, if we have carried Oregon we have carried it in spite of it and not because of it.

Where do we get our indorsement on the Porto Rican tariff?

The Senator says that Oregon has gone Republican in spite of it. Where do we get the indorsement, then, in Oregon on the Porto Rican mistake? If it indorses the President, it condemns the Congress, and if it is a commendation of Congress, it is a condemnation of our President, who said it was our plain duty to give them free and unlimited commercial intercourse.

Ah, Mr. President, let us not say that we are all spotless and have made no mistakes. Let us go before the people and talk this out fairly. When you say to the people that 15 per cent protection to the men who make cigars in the city of Chicago is enough for them when they come from Porto Rico and 100 per cent from Cuba you will have difficulty in explaining just exactly how the merits of that case can work.

Mr. President, I am almost sorry that the Senator invited us all to deliver ourselves of a few feeble remarks in this hour of parting. I want to show just briefly the difference between his contention for the South African Republic and the proposition I have mentioned. I want to show, historically and politically, the difference between the times of Washington and the times of Lincoln and the times now.

When Washington was besought by the representatives of that Government to interfere with France we were weak; and they sought what? Not a resolution of sympathy, but the Army and the Navy of the United States, and Washington said "No." Then came the new doctrine of America, settled by Monroe in his message. He did not call it an entangling alliance. In 1822 he said, speaking of the great Republic:

A strong hope is entertained that these people will recover their independence and resume their equal station among the nations of the earth.

Mr. Webster, in support of the measure, said he did not ask the Army and the Navy to interfere for the republic of Greece. Mr. Clay, in asking for the vote of sympathy, said he did not ask the Army and the Navy in support of the republic of Greece, but he wanted that commendation which went to make public opinion. Mr. Webster laid down the true international law for us, and he gave his reason for it. He said, in substance, the kings have made an unholy alliance.

The kings all over the world said, by their unholy alliance, that no republic should ever grow, and even the friend of Greece, the monarch of Russia, said, "Though I hate Turkey, I can not afford to have republics springing up in my neighborhood, and the kings must stand together." Webster and Clay, following the suggestion of President Monroe, said, "If the monarchs of the world stand together, the republics of the world ought to stand together."

Here to-day what do we see in our sight and at the opening of the new century, so full of hope and promise, in which I join with the Senator? God knows I hope it may be even more full of hope and promise than we can possibly anticipate. But here to-day the most cruel nation on the face of God's earth is destroying the capital at Pretoria, the same nation, with the same spirit, that burned this Capitol and drove our President out of Washington and looted our public buildings and burned our public buildings.

It is the same English nation, with 30,000,000 of her subjects now starving in India, and from the sweat of the brow of her starving subjects she wrings the money with which to murder the Republic; and we, the mother of republics, sit silent and ask, "Am I my brother's keeper?"

We ask no ships. We ask no guns. We ask no money. We ask that which the fathers asked for, that one word of encouragement which makes for righteousness, which makes for public opinion, which will make ashamed the bullies of England that are robbing in India that they may murder in Africa, that they may destroy the Republic and own the mines.

Ah, Mr. President, it is no party measure; and I beg the Senator not to announce it as a part of our programme that we do not ask the support of the honest American, many of them foreign born, but just as loyal as we are, who believe, as I do, that this Government ought at least to lift its voice and say to the world, "We protest against the butchery in South Africa, and we demand the right to express the hope that the republics there may live."

Ah, Mr. President, I have hopes of the century. I hope to see our flag float in the seas. I know that we are expanding. I know that an honest expansion can never be contracted; and I know that an expansion which is not based on human rights and human liberty, so sure as God has written into the history of the past, can not be perpetual and safe.

My hope and my faith in the destiny of my country I trust are as good as any gentleman's in my party here. I hope to see my flag on every sea. I hope to see my people employed. I hope to see prosperity come as it has come within the past four years. I hope to see all of our promises kept. But it has been my thought, an old-fashioned thought, I know, that I never want to see my flag above anyone who does not love it; I never want to sell our goods at the point of the bayonet; and from the mothers of the 65,000 boys in Luzon, from the sisters and the sweethearts, I do not want to take their boys back to them in their boxes and their

coffins and say: "We have sold more goods; we have got more lands; there in the coffin is your contribution."

Mr. President, I am an expansionist; and I believe the time will come in this country when Republicans and Democrats alike will get back to the old doctrine that no man is good enough to govern another without his consent. We will appoint no governors, no lieutenant-governors, and no postmasters except for the people of our own country.

Mr. President, I beg the pardon of the Senate for having taken so much time.

Mr. TURNER. Mr. President, I did not get into the Chamber in time to hear all the speech of the distinguished Senator from Montana [Mr. CARTER], but I got in in time to hear him firmly fix Mr. McKinley in the same class with Washington, Lincoln, and Grant, and to hear him, to his own satisfaction at least, re-elect him to the Presidency of the United States. As I listened to his fervid eulogy on the great and good man who now graces our Executive chair I was reminded of the little girl who made an assertion which was disputed. She said, "I know it is so; my mamma says it is so. My mamma has a cupboard and there is pie in the cupboard; and anything that mamma says is bound to be so." [Laughter.]

In listening to the confident predictions of the Senator from Montana concerning the reelection of Mr. McKinley my mind naturally recurred to the fact that the Senator undertook to elect a President eight years ago, but that the performance did not come up to the promise, although we have understood lately that he had quite a campaign fund at his disposal at that time.

Mr. President, I am not disposed to dispute the claims of greatness which the Senator makes for our Chief Magistrate; but I do not think that those claims can be predicated upon the grounds on which he places them. I do not think a ruthless war upon a people who are struggling for their liberty and their independence can put any man in the class of Washington or Lincoln or Grant. I do not think a betrayal of men who fight in the ranks with our soldiers as our allies constitutes a claim of greatness for any man.

I do not think that the overturning of the principles of liberty upon which this Government was founded, which we have seen exemplified in the Philippine war and in the legislation which this Congress has indulged in, and which Mr. McKinley has approved for the government of Porto Rico, can constitute a claim of greatness which puts a man in the place of Lincoln or Grant or Washington.

I can not forget, Mr. President, when these fervid eulogies are delivered, that Mr. McKinley said only a few months ago that it was our plain duty to give the people of Porto Rico free trade, and yet that a very few weeks thereafter, when party exigencies required it, he was enabled to see that it was our plain duty to deny them free trade, and in doing so to adopt the principles of government which England adopted toward the American colonies and which led to our successful revolution and the overthrow of her reign on this continent.

Nor can I forget that Mr. McKinley said in 1892 that Grover Cleveland was trying to elevate the dollar above the man, and that he was denying silver its plain office in the money of this country, and that only a few weeks ago he signed an enactment of Congress which declared that gold should be the sole and single standard of value in this country.

But I did not rise, Mr. President, for the purpose of either eulogizing or denouncing Mr. McKinley further than the acts to which I have referred bear upon the claim of greatness which the distinguished Senator from Montana makes for Mr. McKinley.

So far as the Oregon election is concerned, I think we had better wait a day or two until we hear from some of the back counties. Then there may not be so broad a smile upon the face of the distinguished Senator from Montana. Besides, Mr. President, we do not know but what they had a Montana campaign fund out there which contributed very largely to this result, and we do not know but that the result was brought about by some of the pasters that we hear about out in Montana.

They may have had a very material influence at least upon the result of that election. But however the State of Oregon may have gone, I believe that the American people are going to vote in the coming election for the principle of government established by the fathers of this country, and I believe that if they do so they can not elect Mr. McKinley President of these United States.

Mr. President, turning from the President of the United States to the Congress of the United States, I should like to ask my distinguished friend from Montana why this haste in adjourning this Congress when there is so much legislation pending here that ought to be enacted into law? Is it because the Republican majority recognizes here that the things for which he has been eulogizing Mr. McKinley have been driving nails into the coffin of the Republican party for six months and that they want to get away from these dreadful influences? I can not conceive of any other reason for it.

Political considerations have driven the majority upon the other

side of this Chamber to determine to adjourn at this early and unseemly period at the expense of the public interest and of millions of our people who have just rights which ought to receive consideration here; and these political considerations will continue to operate upon the minds of our friends on the other side and induce them to carry out their resolve to adjourn at the expense of the just interests of this country.

I think it is proper to enumerate for the information of my friend on the other side, who has such a state of political jubilation on him at this moment, three or four of the measures which are waiting here, and which ought to be acted upon before Congress adjourns.

We have here upon our table, Mr. President, a bill providing for the consideration of the Nicaragua Canal, a project which is dear to the hearts of the American people, a project which is essential to the commercial interests of this nation, and essential to the safety of this nation in its governmental capacity. This bill passed the lower House of Congress almost unanimously. Why do we hurry away from here when this important measure is upon our table and when the opportunity may go away from us before we assemble again to make this project, that is so dear and so essential to the people of this country, effective by legislation?

We also have upon our table here, coming from the other House and passed by an almost unanimous vote, an amendment to the anti-trust law—an amendment for which there is a universal demand; an amendment intended to make that law effective; an amendment which is necessary to preserve the industrial independence and the industrial liberties of the people of this country; which everybody demands, and which no man in public life dares to oppose, except under cover and by indirection.

We also have upon our table, Mr. President, an eight-hour labor law, which the lower House of Congress passed almost unanimously after several weeks of investigation and sent here to us; and the laboring men of this land, who are interested in the passage of that measure, are here to-day in the person of their representative, Mr. Gompers, demanding that we enact the bill into law before we adjourn. Why do you run away from that, Mr. President?

Finally, we have here the bill which I had the honor to introduce yesterday, at the instance and request of the representatives of the Grand Army of the Republic, creating a court of pension appeals, a measure rendered necessary by the cheeseparing policy of this Republican Administration, which has been attempting here for four years, in view of its extravagance in other directions, to economize at the expense of the old soldiers of the Republic.

These matters are here; and, instead of taking up the time of this Chamber with political speeches, our friends upon the other side ought to settle down with us here, and go to work in an honest endeavor to place this legislation upon the statute book, in order that the rights and interests of the American people may be subserved.

Mr. President, as expressive of my view of the action which Congress is now about to pursue in adjourning, I desire to read an editorial article from the New York Herald, entitled "A do-nothing Congress." It is as follows:

The work accomplished by Congress in the session that ends to day is as scant as the preliminary promise was prodigal.

Measures of importance passed may be told off on the fingers of one hand; those "hung up" number a score.

Bills providing for the government of Hawaii, for the Alaskan code, for the administration of Porto Rico, and affirming the gold standard were enacted. Coupled with the gold standard is the refunding scheme, which perpetuates a currency based on Government debt, and the Porto Rican law imposes a tariff upon trade with the island and leaves the status of its people undefined.

On the other hand is the long list of measures demanded by business interests and the country at large that have been neglected, dodged, or left in suspense. Among them are consular reform, the amendment of the bankruptcy law, the ratification of the commercial treaties with France and other countries, and of the Hay-Pauncefote treaty, with attendant failure of the Nicaragua Canal and the bill for reorganizing the Army.

Nothing has been done to define the status of the Philippines or assure them a form of government or to supply a stable basis which would encourage the investment of American capital, and the project of a Government cable to the islands is left in air. Neither has any step been taken to secure a civil service which would prevent in the new possessions such scandals as are presented in Cuba.

The burdensome war taxes which are plucking the people to pile up a mischievous Treasury surplus are left in full rigor—intrusted to a commission which will sit during the summer and dicker with industrial and mercantile interests for a reduction of taxes on certain lines on the basis of corresponding campaign contributions.

The chief thing for which the first session of the Fifty-sixth Congress will be remembered is its record-breaking prodigality in appropriations.

Mr. MONEY. Mr. President, I was unfortunate in not hearing the greater part of the speech of the distinguished Senator from Montana [Mr. CARTER], but I desire to reply in a few minutes to that part which I did hear.

The Senator from Montana seemed well assured that if we will but support a large navy carrying our flag, we shall increase the trade of this country with foreign nations, and especially with the

Orient. It seems to me that the Senator was exceedingly infelicitous in the selection of a subject in this particular. He seems to have forgotten that there are no such things as convoys in any part of the globe, nor has there been for a great many decades except in the case of war, and that the convention of Paris in 1853 has driven the privateer from the high seas. If it had not done that, the application of coal to navigation would have sounded the doom of piracy and of the privateer.

The Senator also seems to have forgotten that in November, 1898, the United States of America went to the front of all the nations of the globe in her foreign trade. There was not, with all the lack of a navy and all the lack of insular possessions, a single market closed to the United States, nor is there to-day, that is open to the other nations of the world, and now all civilized nations to-day advocate the open door to commerce, and commercial exclusion is a thing of the past.

The Senator seems to have forgotten that in that month we became the greatest exporting nation of the world, and took the leadership in the family of nations over Great Britain, that had held that primacy for one hundred and fifty years. He seems to have forgotten that in the last seven years Great Britain, with more colonies than the balance of the world together, has lost 5 per cent of her foreign trade, and that the United States, before she had an island on the face of the globe, had increased her foreign trade 18½ per cent in the same time.

M. Pelletan, minister of finance of France, stated in the Chamber of Deputies that France, with an array of colonies amounting to 3,000,000 square miles, with a population of 60,000,000, was paying £16,000,000 annually for the pleasure of governing other people, when the trade from her colonies amounted to only £4,000,000 per annum. Germany made an expenditure out of the royal treasury of \$5,000,000 a year to support her foreign colonies, and her trade with those colonies only amounted to \$2,000,000 per annum. In other words, she paid two and a half times as much for her trade with the colonies as that trade was worth. At the same time Germany, in her trade with the colonies of other nations, to which she did not pay one solitary cent for protection or security, enjoyed a trade of \$53,000,000 per annum. So it seems as though foreign conquest was unnecessary for the expansion of trade and that trade does not go with the flag, except in the theory of some politicians.

I ask gentlemen what market has been opened by this war in the Philippines? Lord Salisbury seems to have understood the situation a little better than the Senator from Montana when he remarked that when the Americans occupied the Philippines it was a great help to Great Britain, but it did not lessen the chances of war. We have now projected ourselves into what must be the storm center in the next great war between the nations of Europe. Not only that, but, Mr. President, I say the Senator can not point out a single port that has been opened by this war, nor can he name a single foreign market that has not been open to us before that was open to any other country.

The Senator speaks of the trade that our farmers are about to enjoy in the Orient, when everything we make has been already introduced to as great an extent as the products of any other nation in the world. Then in what measure and in what manner have we gained in the expansion of trade by the conquest of our insular possessions?

Mr. KYLE. Mr. President—

The PRESIDING OFFICER (Mr. KEAN in the chair). Does the Senator from Mississippi yield to the Senator from South Dakota?

Mr. MONEY. Yes, sir.

Mr. KYLE. Has not the commercial trade of the South been stimulated by this foreign market?

Mr. MONEY. Not one whit, not one particle. We make cotton in the South, and we sell nothing else. There is not one shirt more worn in the world on account of this war. The only way we can advance the price of cotton is to increase the use of it, for supply and demand fix the price of everything. The South has not been benefited by this war, nor has any other part of the country, except in the circulation of money, which has been held in reserve by the capitalists of this country and in our Treasury.

Why, Mr. President, if we ever advance our trade, we have got to increase the wants of the people with whom we trade; and the people whom we have subjugated to our control have no wants that amount to anything. They are children of nature. A towel is considered by a gentleman in some parts of the Philippine Archipelago as a complete wardrobe; and there is more cotton stuff made into nightgowns in the city of Washington than is worn by all the women in the whole of the Philippine Islands. They have a material that is better than cotton, which they manufacture and which is as beautiful as silk.

Mr. President, as I said, if we want to get more trade, we have got to create more wants, and then hope to supply them cheaper and better than anybody else can. We can not trade unless we produce something to meet those wants. The citizens of the

Orient have been producing enough to meet their wants. They must increase their efforts to produce something to correspond with our production so that we may have an exchange or interchange, which is commerce.

What do they produce? They produce cotton, which is produced in the Southern States; they produce hemp, that competes with the Middle Western States; they produce rice and sugar, which compete with Louisiana and South Carolina, and they produce tobacco, which is a staple of several States of this Union. They produce those things that we produce and desire to sell, and it is idle to talk of building up a business with the Filipinos when we are simply raising up competitors against the farmers of the United States, not only the rice farmers, but the wheat farmers. We find that rice is the food of more than half of the human race who never saw nor care to see a grain of wheat.

Mr. President, if we are to stimulate the activities of those people, we want to manufacture something in which they do not compete with the manufactures of the United States. When you recollect that you can hire labor in the Philippines for 21 cents a day, gentlemen who are so busy to-day in talking about the expansion of trade should consider that factor in the problem also. The whole thing is a humbug.

As to our obligations to the nations of the world, of which the Senator from Montana spoke, I do not believe that he said anything about our obligations to God Almighty or our obligations to the people of the United States, but to somebody else. Well, what are the obligations which the United States rests under to any nation in the world? Her obligation is to herself, to protect her own citizens, to keep alive the spirit of liberty and independence and personal freedom here, and to keep them self-governed as wisely as possible, with as small taxes as can be levied consistently with modest and economical administration of their public affairs.

We have no obligations to Europe. We did not have a friend on the Continent during the late Spanish war in the whole of Germany; and the Frankfurter Zeitung was the single paper that ever dared to say a kind word about the United States. There was not one in France, nor in Italy, nor in Austria; and Great Britain stood only with us because of the public sentiment in our favor. Her administration was passive, with the understanding in Europe that it might become dangerous, and so thought it was politic to serve us a good turn in that crisis of our affairs.

The Senator eulogizes the Administration for this war. He should remember with what reluctance they went into it. He should recollect that this Administration was pulled and kicked into the war for the liberation of a million and a half of people to preserve them from extermination by starvation by the Spanish Government; and now they have forced the United States into another war for the subjugation of another people; to subjugate a people who are struggling for liberty and independence and for national character and national independence and government of their own against the same oppressor the Cubans are fighting. I do not think the Senator need felicitate the Administration upon its war record.

I do not go into motives. I am speaking of historical facts which are known by everybody. We know the reluctance with which the Administration and its followers here—a good many of them, at least—went into the war for the liberation of Cuba. That was not begun as an interference in the affairs of a friendly neighbor. It was in the cause of humanity, civilization, and religion, as well as human liberty. It was because the greatest nation in the world could not allow another and a feeble people to perish upon their very doorsteps, and our effort was to liberate them from destruction by starvation, twice begun under the administration of Canovas and twice opposed by Martinez Campos. I do not think that the war record of the Administration is anything to boast of.

The Senator referred to the result of the Oregon election. Oregon is being benefited in her trade by the carrying on of the war, which is enriching the Pacific coast. I know, by information, of one firm who are owners of steamships that have paid for themselves every two months during the Philippine war. What that class of people want is war; and the same class want war for the profit that is in it. They do not want peace; they do not want the peaceable possession of the Philippines. They want war, which will call for transports and everything else that can enrich speculators and contractors. I am not surprised that that class of people are in favor of expansion, and particularly in favor of war.

But, Mr. President, I have never yet heard any gentleman on this floor or elsewhere show one compensating advantage to the United States for holding the Philippines. I am not here as an American to sympathize with them against my country, and I do not, as I have said before, here and elsewhere; and when I spoke against the policy of the Administration in that regard it was not because my sympathies were excited for the Filipinos, although I

sympathize with any people struggling for liberty; but I sympathize with the people of the United States, who have been dragged into a war that will be interminable, and will certainly not cease as speedily as the Senator from Montana fondly imagines.

Those people carried on war for two hundred and fifty years against Spain. The Spanish method was to exterminate them, a method which would not be consented to by anybody in America. We may expect to have the same conditions of war go on indefinitely, with guerrilla bands, or robber bands, or whatever kind of bands you may call them, it makes no difference what the name is, but it is the thing we are talking about. The trouble is not yet begun, and our friends know it, and for that reason they desire to continue a standing army of 100,000 men, which they will ultimately have to increase to 250,000. It is not because they will be needed to keep the Filipinos down, but because they will be ultimately needed to keep down the American people.

The Filipinos can not fight. I had as soon turn a lot of policemen loose with clubs upon school children as to make a campaign against those people. They do not know how to fight. While they have a certain sort of courage, they do not seem to have capacity for that business. Nobody expects but that the American soldier will be successful wherever he may go. We have found that we are able to do a great many things, and we have concluded, because we could do some bad things, that we would do them.

As to what the Senator said in regard to Oregon having gone for the Republican ticket in spite of the Porto Rican bill, I want to ask him if he has not heard that there is a tremendous feeling among the people of the Middle West against the Porto Rican policy of the Republican party? I want to ask him if he does not recollect that there are in this country about 3,000,000 German voters, who left their own country because they loved personal liberty and who are amongst the best citizens of this country because of their love of constitutional liberty?

Those men are scattered and segregated in spots. They will have some voice in the next election, and they have almost unanimously, if the newspaper press of the country can be depended upon, declared themselves against the policy of the Administration in regard to Porto Rico and against imperialism or expansion, or whatever you choose to name it. They are against imperialism for the reason that they saw enough of that at home. They are tired of uniforms, and they are especially tired of these deviations from the Constitution of the United States, which they consider as the bulwark and sole guaranty and muniment of their title to liberty. I think all these subjects will be debated upon the stump and that the Senator from Montana will find that it is well he laughed early in the fight, for otherwise he might not have an opportunity to laugh at all.

At any rate, Mr. President, in this crucial period of American history, it is to be hoped the people of the United States, when the glamour of war and military preparations and achievements have passed away, will, in their cool and sober judgment, looking upon the Constitution as the foundation of everything we have in this country, determine that the Constitution is wherever the American flag waves as the ensign of authority. They will find that it needs no act of Congress, the creature of the Constitution, to carry its creator anywhere within the jurisdiction of America. They will find that there is not a military or a civil officer anywhere on the globe professing allegiance to the United States who does not derive his title to be there as an officer because he has sworn allegiance not to the United States and the Government thereof, but to the Constitution of the United States, and where the Constitution of the United States does not extend there can not legitimately be an officer of the United States performing official acts.

Mr. President, there is no time now to make an analysis of all these questions, or even to touch upon them in the most superficial way, but the Senator from Montana will find this summer that there will be on every stump plenty of people who are perfectly able to analyze them, and perfectly able to explain them to people willing to hear, and he will find, perhaps, that his judgment is just about as good as it was in 1892, when he proclaimed far and near that there would be a brilliant Republican victory. I know my friend's acuteness and I know his ability in conducting political campaigns, but still it shows how fallible human prophecies are, especially when they are inspired by the political wishes of the man who made them.

Mr. PETTIGREW. I move that the Senate adjourn.

The PRESIDING OFFICER. The Senator from South Dakota moves that the Senate adjourn.

Mr. ALLISON. I hope the Senator will not press that motion until the conference report on the naval appropriation bill comes from the House and we get the bill into conference again.

Mr. PETTIGREW. I see no good reason for spending the night here.

Mr. ALLISON. We shall not spend many more minutes here.

Mr. HALE. Mr. President—

The PRESIDING OFFICER. Does the Senator from South Dakota withdraw his motion?

Mr. HALE. Will the Senator withdraw his motion for a moment?

Mr. PETTIGREW. I will withdraw the motion for the purpose of hearing the Senator from Maine.

NAVAL APPROPRIATION BILL.

Mr. HALE. I hope the Senate will not adjourn, Mr. President, until the conference report comes in from the House upon the naval appropriation bill; and I call the attention of the Senate to the seriousness of the occasion.

Upon the main question on the naval appropriation bill the proposition of the other House was conceded to by the Senate, covering all the controversy on armor plate. There were only two subjects after that in controversy upon which the conferees met, the question of whether the course of study for the cadets at the Naval Academy should be four or six years. The conference came to an agreement, leaving the law as it is at present—for a six years' course—but providing that at the end of the four years' study at Annapolis new appointments should be made, so that in twelve years there shall be, instead of 2 cadets, 3 cadets, thus increasing the officers of the Navy.

The only other subject was the ocean surveys. Now, I ask the Senate to give attention, because here is the controversy:

Last year the provision for ocean surveys gave to the Hydrographic Office of the Navy Department \$100,000 for surveys upon the ocean and all of the waters upon which our commerce extends. The House of Representatives cut that down and inserted this item:

For special ocean surveys, and the publication thereof, \$10,000.

The Senate substituted for that the following clause:

Ocean and lake surveys: For hydrographic surveys, and for the purchase of nautical books, charts, and sailing directions, and freight and express charges on the same, \$100,000.

When the conferees met we agreed on the cadets to leave the law as it is, with the provision that I have indicated, of an appointment at the end of four years, giving three cadets in twelve years, instead of two. We compromised on the report on the surveys, and the Senate gave up the lake surveys; struck those out; gave up the \$100,000, and agreed to an amendment making it \$50,000.

So that upon this question of disagreement the conference report was that we should give up one-half of the appropriation put in by the Senate and should yield the lake surveys entirely and leave them outside of the naval survey.

Now, I am informed—we have not received the official message—that on a contest in the House it has been determined that the House insist on their original proposition, that the surveys by the Hydrographic Office shall be cut down to \$20,000, and that they reject the proposition of the conference and reject the report upon that ground. I shall move, as soon as the report is received, that the Senate adjourn, because the subject can not be considered tonight. The Senate can not give up all its rights. The Senate can not agree that because the House has determined upon one special line of appropriation the Senate has no rights. I shall move that the Senate adjourn.

Mr. CHANDLER. I will ask the Senator from Maine, if he can, to give me the language of the appropriation provision of last year.

Mr. HALE. It is the same as that of this year:

Ocean and lake surveys: For hydrographic surveys and for the purchase of nautical books, charts, and sailing directions, and freight and express charges on the same, \$100,000.

Mr. CHANDLER. I will ask the Senator whether in the provision of last year the words "hydrographic surveys" were employed?

Mr. HALE. It was just the same as it is this year in the Senate amendment.

Mr. CHANDLER. Then the Senate in amending it have not used different language from that used last year.

Mr. HALE. No. On the other hand, the Senate has cut off certain propositions and certain language which the House objected to, but have left the features of the hydrographic survey.

Mr. CHANDLER. I should like to ask the Senator whether under that appropriation for hydrographic surveys he understands that the naval officers could make surveys up streams—small streams, nonnavigable streams—or into the interior of the country?

Mr. HALE. Oh, that question has never been raised. The Navy does not propose to make any of those interior surveys.

Mr. CHANDLER. It never has done it.

Mr. HALE. Never.

Mr. CHANDLER. Was there any intention on the part of the Senate committee in insisting upon having the words "hydrographic surveys" kept as in last year's provision, to enlarge the jurisdiction of the Navy Department?

Mr. HALE. The surveys of the Navy are ocean surveys.
Mr. ALLISON. Not coast surveys.

Mr. HALE. They do not touch the coast at all. For instance, in the Philippines the waters are comparatively unexplored. We have lost one ship, the *Charleston*. The Navy has its ships; they are all there; they have the officers; they have the men; they have everything that is necessary to equip them for the surveys. But the coast of the United States has never been and has never been attempted to be invaded by the hydrographic survey.

Mr. CHANDLER. Not the interior of the country.

Mr. HALE. Never.

Mr. CHANDLER. There is no danger of a naval survey in Colorado.

Mr. HALE. Never; no.

Mr. ALLISON. Nor Montana.

Mr. HALE. No; nor Arkansas.

Mr. CHANDLER. I asked the question because it has been stated to me that one of the objections of the House is that there is danger that if we continue to make appropriations for hydrographic surveys, this all-conquering Navy of ours will undertake, with its ships and its surveyors and its men, to penetrate the interior of the country.

Mr. HALE. Penetrate to Quincy, Ill.

Mr. CHANDLER. Or Colorado.

Mr. HALE. No; there is no question of that kind. It is only a question of ocean surveys.

Mr. WOLCOTT. Mr. President, since the Senator from New Hampshire has spoken of the possibility of the Navy encroaching with its surveys upon Colorado, I desire to state that if the American Navy, which has never yet known defeat, runs up against the Geological Survey in Colorado, it will be forever ended and defeated. [Laughter.]

Mr. HALE. Now, let me say further that in full conference with the House committee, consisting of the acting chairman of the Naval Committee of the House and his two associates, we agreed on this proposition. The Senate yielded the lake surveys; they yielded \$50,000 of the amount, and the House conferees agreed to the proposition, representing the Naval Committee of that body. I am informed that that committee has been deposed and a new committee has been created, upon the proposition that the House shall dictate to the Senate what shall be done in this matter.

Mr. CHANDLER. I do not think the Senator ought to say that. So far as my judgment goes, I think we should assume that the new committee has been appointed with a conciliatory disposition and for the purpose of bringing the House and the Senate into accord. I think the Senator makes a mistake in assuming that there can, by any possibility, be any intention on the part of the House except to secure a harmonious and conciliatory conference as the sequence of that which has already been held.

Mr. HALE. I will withdraw my remarks upon that point.

Mr. CHANDLER. I wish the Senator would, because when he meets the conferees he will see that they are there for conciliation.

Mr. HALE. I am sure the Senate conferees will meet the House conferees in a spirit of conciliation. The Senate has already yielded more than half. It has struck out lake surveys. It has struck out \$100,000 and agreed to \$50,000. Now, in a spirit of conciliation, if the Senator from New Hampshire believes that that is right, we can yield everything. The Senate can yield everything to the House.

The PRESIDENT pro tempore. Will the Senator from Maine please suspend for a moment, to enable the Senate to receive a message from the House of Representatives?

Mr. HALE. Certainly.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had passed the bill (S. 4756) directing the issue of a duplicate of lost check drawn by James B. Quinn, major, Corps of Engineers, United States Army, in favor of Henry L. Breneman.

The message also announced that the House had disagreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 10450) making appropriations for the naval service for the fiscal year ending June 30, 1901, and for other purposes; further insists upon its disagreement to the amendments of the Senate numbered 50, 51, 52, and 53; further insists upon its amendment to the amendment of the Senate numbered 9 to the bill; asks a further conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. CANNON, Mr. MOODY, and Mr. SHAFROTH managers at the conference on the part of the House.

NAVAL APPROPRIATION BILL.

Mr. HALE. I ask the Chair to lay before the Senate the action of the House of Representatives on the naval appropriation bill.

The PRESIDENT pro tempore laid before the Senate the action of the House of Representatives disagreeing to the report of the

committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 10450) making appropriations for the naval service for the fiscal year ending June 30, 1901, and for other purposes, further insisting upon its disagreement to the amendments of the Senate numbered 50, 51, 52, and 53, further insisting upon its amendment to the amendment of the Senate numbered 9, and requesting a further conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. LINDSAY. I will ask the Senator from Maine whether, having yielded one half to the old committee of conference, if we yield another half to the new committee, it is not likely we can reach an agreement.

Mr. HALE. I suppose we could. Therefore—I am glad the Senator made that inquiry—I move that the Senate further insist upon its amendments and agree to the conference asked for by the House.

The motion was agreed to.

By unanimous consent, the President pro tempore was authorized to appoint the conferees on the part of the Senate.

The PRESIDENT pro tempore. The Chair appoints as conferees on the part of the Senate Mr. HALE, Mr. PERKINS, and Mr. TILLMAN.

Mr. HALE. I move that the Senate adjourn until 11 o'clock to-morrow morning.

The PRESIDENT pro tempore. The Chair is informed that the Senator from South Carolina [Mr. TILLMAN] has left the city.

Mr. HALE. Then I ask that the Senator from Virginia [Mr. MARTIN] be appointed as a conferee.

The PRESIDENT pro tempore. The Chair appoints Mr. MARTIN as a conferee.

Mr. KENNEY. The Senator from Virginia [Mr. MARTIN] has gone home. He has left the city.

Mr. HALE. I ask that the Senator from North Carolina [Mr. BUTLER] be appointed.

The PRESIDENT pro tempore. The Chair names the Senator from North Carolina [Mr. BUTLER].

Mr. HALE. I move that the Senate adjourn until to-morrow morning at 11 o'clock.

The motion was agreed to; and (at 10 o'clock and 40 minutes p. m.) the Senate adjourned until to-morrow, Thursday, June 7, 1900, at 11 o'clock a. m.

NOMINATIONS.

Executive nominations received by the Senate June 6, 1900.

AGENT TO CLAIMS CONVENTION.

Robert P. Kennedy, of Ohio, to be agent on the part of the United States under the conventions for a claims commission concluded between the United States and Chile August 7, 1892, and May 27, 1897.

JUDGES OF THE DISTRICT COURT OF THE DISTRICT OF ALASKA.

Melville C. Brown, of Alaska.

James Wickersham, of the State of Washington.

Arthur H. Noyes, of Minnesota.

DISTRICT ATTORNEYS OF THE DISTRICT OF ALASKA.

Division No. 1, Robert A. Friedrich, of Alaska.

Division No. 2, Joseph K. Wood, of Montana.

Division No. 3, A. M. Post, of Nebraska.

MARSHALS OF THE DISTRICT OF ALASKA.

Division No. 1, James M. Shoup, of Alaska.

Division No. 2, Cornelius L. Vawter, of Alaska.

Division No. 3, George G. Perry, of Iowa.

PROMOTION IN THE NAVY.

Naval Cadet Walter G. Roper, to be an ensign in the Navy, from the 4th day of April, 1900, subject to the examinations required by law, to fill a vacancy existing in that grade.

POSTMASTERS.

Charles J. Shepard, to be postmaster at Waltham, in the county of Middlesex and State of Massachusetts, in the place of William F. Rooney, whose commission expires June 8, 1900.

Jasper Z. Waller, to be postmaster at Burlington, in the county of Alamance and State of North Carolina, in the place of B. O. Guthrie, whose commission expired June 6, 1900.

Charles Clawson, to be postmaster at Mercer, in the county of Mercer and State of Pennsylvania, in the place of Samuel M. Stewart, deceased.

GOVERNOR OF ALASKA.

John G. Brady, of Alaska, to be governor of the Territory of Alaska, as provided for by an act of Congress entitled "An act making further provision for a civil government for Alaska, and for other purposes," approved June 6, 1900.

CONFIRMATIONS.

Executive nominations confirmed by the Senate June 6, 1900.

CONSUL.

Joseph Bowron, of Carthagena, to be consul of the United States at Carthagena, Spain.

SECRETARY OF LEGATION AND CONSUL-GENERAL.

Edward D. Winslow, of Illinois, now consul-general of the United States at Stockholm, Sweden, to be secretary of legation and consul-general of the United States at that place.

GOVERNOR OF ALASKA.

John G. Brady, of Alaska, to be governor of the Territory of Alaska.

DISTRICT JUDGES OF ALASKA.

Melville C. Brown, of Alaska.

James Wickersham, of Washington.

Arthur H. Noyes, of Minnesota.

DISTRICT ATTORNEYS OF ALASKA.

Division No. 1, Robert A. Friedrich, of Alaska.

Division No. 2, Joseph K. Wood, of Montana.

Division No. 3, A. M. Post, of Nebraska.

MARSHALS OF ALASKA.

Division No. 1, James M. Shoup, of Alaska.

Division No. 2, Cornelius L. Vawter, of Alaska.

Division No. 3, George G. Perry, of Iowa.

PROMOTION IN THE NAVY.

Naval Cadet Walter G. Roper, to be an ensign in the Navy, from the 4th day of April, 1900.

POSTMASTERS.

Charles J. Shepard, to be postmaster at Waltham, Middlesex County, Mass.

Jasper Z. Waller, to be postmaster at Burlington, Alamance County, N. C.

Charles Clawson, to be postmaster at Mercer, Mercer County, Pa.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, June 6, 1900.

[Continuation of the legislative day of Tuesday, June 5, 1900.]

The House reassembled at 8 o'clock a. m., and was called to order by the Speaker.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PLATT, one of its clerks, announced that the Senate had agreed to the reports of the committees of conference on the disagreeing votes of the two Houses on the amendments of the House to bills of the following titles:

S. 1489. An act granting an increase of pension to Robert C. Rogers; and

S. 2497. An act granting an increase of pension to Sarah W. Rowell.

The message also announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7950) for the extension of Columbia road east of Thirteenth street, and for other purposes.

The message also announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 11212) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1901, and for other purposes, had further insisted upon its amendment numbered 81, disagreed to by the House of Representatives.

The message also announced that the Senate had passed without amendment the bill (H. R. 9839) granting an increase of pension to Emily H. Wood.

WILLIAM L. ORR.

Mr. BOUTELL of Illinois. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 11783) for the relief of William L. Orr.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby authorized and directed to pay, out of the Treasury of the United States, from any money not otherwise appropriated, to William L. Orr, for services rendered by him as acting second assistant engineer in the United States Navy between September 4, 1863, and March 21, 1865, the pay of said rank and service at that time, provided said Orr shall furnish to the Secretary of the Treasury satisfactory proof of his services during said period.

The SPEAKER. Is this the bill which was vetoed?

Mr. BOUTELL of Illinois. A bill for the relief of William L.

Orr was vetoed by the President, who, in his veto message, suggested that the bill with an amendment or modification to the effect that this man should be paid upon making satisfactory proof to the Secretary of the Treasury would do no harm either to Government or to anyone else. The bill was therefore redrafted in the form recommended by the President; it was referred to the Committee on Claims, and that committee unanimously recommended the passage of the bill in its present form.

The SPEAKER. The reason of the Chair for asking this question was because the fact ought to be placed before the House that this is a newly drafted bill; that the modification suggested by the President has been made; that the bill has been reported favorably and has been recommended by the Committee of the Whole for action of the House. Otherwise the Chair would have doubted about the propriety of recognizing the gentleman to bring up the bill. Is there objection? The Chair hears none.

The House proceeded to the consideration of the bill; which was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

MILITARY INSTRUCTION IN PUBLIC SCHOOLS.

Mr. MARSH. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 4742) to amend section 1225 of Revised Statutes so as to provide for detail of retired officers of the Army and Navy to assist in military instruction in schools.

The bill was read.

The amendments recommended by the Committee on Military Affairs were read.

The SPEAKER. Is there objection?

Mr. LENTZ. Mr. Speaker, unless we can have the Coeur d'Alene testimony printed by unanimous consent, I object.

The SPEAKER. Objection is made.

IRA DOANE.

Mr. PAYNE. Mr. Speaker, I ask unanimous consent to call up a Senate pension bill. The applicant is a resident of the district formerly represented by the late Mr. Chickering. The letters that I have from the wife of the applicant show that he probably will not live through the recess. He is liable to die any day of heart disease. I should like to call up the bill, as it comes from the district of which the late Mr. Chickering was a Representative.

The SPEAKER. The gentleman from New York asks unanimous consent for the present consideration of a bill which the Clerk will report.

The bill (S. 2111) granting a pension to Ira Doane was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Ira Doane, dependent father of Henry G. Doane, late of Company A, Thirty-fifth Regiment New York Volunteer Infantry, and pay him a pension at the rate of \$12 per month.

The SPEAKER. Is there objection?

Mr. LENTZ. Mr. Speaker, I desire to know whether a committee of the House has passed on this?

Mr. PAYNE. They have passed on it. I have the report here.

Mr. LENTZ. I should like to hear that report read.

The report (by Mr. SULLOWAY) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 2111) granting a pension to Ira Doane, have examined the same, and adopt the Senate report thereon, and recommend that the bill do pass.

[Senate Report No. 1101, Fifty-sixth Congress, first session.]

The Committee on Pensions, to whom was referred the bill (S. 2111) for the relief of Ira Doane, have examined the same and report:

This bill proposes to pension Ira Doane, of Pulaski, N. Y., dependent father of Henry G. Doane, late of Company A, Thirty-fifth Regiment New York Volunteer Infantry, who enlisted and died in the service of the United States, but who was never mustered therein.

The War Department reports that there is no record of soldier's service, and that his name is not borne on the rolls of Company A, Thirty-fifth New York Volunteers, and in the absence of record evidence of his muster into service he is not regarded by that Department as having been in the military service of the United States in this organization.

The report from the adjutant-general of the State of New York shows that the name of Henry G. Doane is borne on the inspection and muster roll of a company of volunteers which was subsequently known as Company A, Thirty-fifth New York Volunteers. He was mustered by the State inspector between May 2 and May 7, 1861.

From evidence filed in the Pension Bureau and with this committee it appears that Henry G. Doane volunteered for service about the 1st day of May, 1861, and died at Elmira, N. Y., June 18, 1861, of heart disease, the result of rheumatism contracted after enlistment and before the muster in of his company.

The father's claim for pension has been rejected because the soldier was never in the United States service, as shown by the records of the War Department.

The mother of the soldier died June 26, 1853, and the soldier was never married and left no widow or child or children under 16 years of age surviving him.

The claimant is now 92 years of age, feeble and burdened with the weight of years and its infirmities, and has no means of support other than his own manual labor and the contributions of those not legally bound for his support.

In view of all the circumstances of this case, your committee believe that the soldier's death of disease contracted after he had volunteered and been

enrolled for service was just as much due to his military service as if he had been mustered in, and that the claimant is entitled to the relief asked for.

The passage of the bill is therefore recommended.

The SPEAKER. Is there objection?

Mr. LENTZ. I make no objection to that bill.

The bill was ordered to a third reading, and was accordingly read the third time, and passed.

On motion of Mr. PAYNE, a motion to reconsider the last vote was laid on the table.

VILLA DE ALBUQUERQUE LAND GRANT, NEW MEXICO.

Mr. PEREA. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 5018) to confirm to the city of Albuquerque, in the county of Bernalillo and Territory of New Mexico, the Villa de Albuquerque land grant, and providing for the settlement of titles therein, and for other purposes.

The bill as proposed to be amended was read, as follows:

Strike out all after the enacting clause and insert the following:

"That there is hereby released and quitclaimed unto the city of Albuquerque, N. Mex., all the right, claim, title, and interest which the United States has, or may claim, to have, to the land or any part thereof which was in 1833 surveyed under the direction of the surveyor-general for New Mexico as the town of Albuquerque grant, the survey having been approved by the said surveyor-general on the 23d day of November, 1833, and including four Spanish leagues; and all the right, title, claim, and interest of the United States in and to the said premises embraced in the said grant is hereby vested in the city of Albuquerque in trust for the benefit of all persons claiming title to their individual holdings of real estate at the time of the acquisition of New Mexico under the treaty of Guadalupe Hidalgo and their successors in interest, or who have been in open adverse possession for the period of ten years prior to the passage of this act: *Provided*, That there is reserved from this grant and quitclaim all lands and buildings now occupied by the United States as an Indian school or for other public purposes.

"SEC. 2. That it is hereby made the duty of the mayor and clerk of said city, and of their successors in office, to execute proper deeds of quitclaim to the persons entitled thereto under this act for their respective holdings of real estate upon such claimants applying therefor and presenting proper deeds for the signatures of such officers, without any expense to said applicants; and such deeds when executed shall be taken in all courts and places as a relinquishment of any claim or title to the lands herein described on the part of the United States: *Provided*, That such deeds shall not be made to persons where titles are in controversy in the courts until such courts shall have adjudicated the same, when deeds shall be made to the persons adjudged to be the owners: *Provided further*, That if within the limits of the land hereby relinquished there be any tract or tracts not held in private ownership, the title shall be vested in the city of Albuquerque in trust for the use and benefit of the public schools of each of the districts where such lands are severally situated."

Amend the title so as to read: "A bill to confirm in trust to the city of Albuquerque, in the Territory of New Mexico, the town of Albuquerque grant, and for other purposes."

Mr. MARSH. Mr. Speaker, is there a report on this bill?

Mr. PEREA. It is reported by the Committee on the Public Lands.

The SPEAKER. The Chair will state to the gentleman from Illinois that it is reported by the chairman of the Committee on Public Lands, the gentleman from Iowa [Mr. LACEY].

Mr. MARSH. The bill covers a good deal of ground.

The SPEAKER. Is there objection?

There was no objection.

The amendment recommended by the committee was agreed to.

The bill as amended was ordered to be engrossed and read a third time; and was accordingly read the third time, and passed.

On motion of Mr. JONES of Washington, a motion to reconsider the last vote was laid on the table.

FREDERICK DOUGLASS MEMORIAL ASSOCIATION.

Mr. MUDD. Mr. Speaker, I desire to present a conference report on the Frederick Douglass Memorial Association bill. I ask unanimous consent that the statement be read and the reading of the report be omitted.

The SPEAKER. Without objection, the statement will be read and the reading of the report omitted.

There was no objection.

The statement of the House conferees was read, as follows:

FREDERICK DOUGLASS MEMORIAL ASSOCIATION.

The Senate amended the bill by adding two sections, one to make the property free from taxation, as is other property used for educational and charitable purposes, and another to provide for branch societies in the States.

The House conferees agree to the first amendment, with an amendment providing that the exemption shall apply only so long as the property shall be used for the purposes of the incorporation. The Senate recedes from its second amendment.

SYDNEY E. MUDD,

B. T. CLAYTON,

Conferrees on the part of the House.

The conference report was agreed to.

On motion of Mr. MUDD, a motion to reconsider the last vote was laid on the table.

MESSAGE FROM THE SENATE.

A message from the Senate by Mr. PLATT, one of its clerks, announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 10450) making appropriations for the naval service for the fiscal year ending June 30, 1901, and for other purposes; had still further insisted upon its amendments numbered 50, 51, 52, and 53, disagreed to by the

House of Representatives to the amendments of the Senate numbered 9 and 58; had agreed to the further conference asked by the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. HALE, Mr. PERKINS, and Mr. TILLMAN as the conferees on the part of the Senate.

The message also announced that the Senate had passed bills of the following titles; in which the concurrence of the House was requested:

S. 1618. An act to confer jurisdiction upon the Court of Claims to hear and adjudicate the claim of the personal representatives of William Kiskadden, deceased;

S. 1661. An act for the relief of George W. Graham;

S. 1992. An act for the payment of Potter, Harrison & Fishback for legal services;

S. 3054. An act to amend section 12 of the act entitled "An act for increasing the efficiency of the Army of the United States, and for other purposes," approved March 2, 1899;

S. 3208. An act for the erection of a public building at Green Bay, Wis.;

S. 3335. An act to provide for the purchase of a site and the erection of a public building thereon at Laramie, in the State of Wyoming;

S. 3343. An act granting an increase of pension to Keziah Fausler; and

S. 3422. An act to equalize the rank and pay of certain retired officers of the Navy.

The message also announced that the Senate had passed without amendment bills of the following titles:

H. R. 2908. An act granting a pension to Frances A. Jones;

H. R. 6854. An act granting an increase of pension to Frederick W. Kellogg;

H. R. 6490. An act granting a pension to Martha E. Horn; and

H. R. 5208. An act granting a pension to Mary E. Dickey.

The message also announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 8665) authorizing and requiring the Metropolitan Railroad Company to extend its lines on old Sixteenth street.

The message also announced that the Senate had insisted upon its amendments to the bill (H. R. 4554) granting an increase of pension to Margaret M. Badger, disagreed to by the House of Representatives, had agreed to the conference asked by the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. GALLINGER, Mr. SHOUP, and Mr. KENNEY as the conferees on the part of the Senate.

LOAN OF NAVAL EQUIPMENT TO MILITARY SCHOOLS.

Mr. BRICK. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (S. 1028) to authorize the Secretary of the Navy to loan naval equipment to certain military schools.

The bill was read, as follows:

Be it enacted, etc., That the President be, and he is hereby authorized, upon the application of the governor of any State having seacoast line or bordering on one or more of the Great Lakes, to direct the Secretary of the Navy to furnish to one well-established military school in that State desiring to afford its cadets instruction in elementary seamanship one fully equipped man-of-war's cutter for every twenty cadets in actual attendance and such other equipment as may be spared and be deemed adequate for instruction in elementary seamanship. Provided, That the said school shall have adequate facilities for conducting upon some body of water suitable for such drills cutter drill and shall have in actual attendance at least 150 cadets in uniform receiving military instruction and quartered in barracks under military regulation, and shall have the capacity to quarter and educate at the same time 150 cadets; And provided further, That the Secretary of the Navy shall require a bond in each case in double the value of the property for the care and safe-keeping thereof and for the return of the same when required.

The SPEAKER. Is there objection?

Mr. LENTZ. Mr. Speaker, unless we can have unanimous consent to print the Coeur d'Alene testimony, I object.

The SPEAKER. Objection is made.

RANGE LIGHTS ON THE DELAWARE RIVER.

Mr. McALEER. Mr. Speaker, I ask unanimous consent to call up the bill (S. 4552) for reestablishing the range lights on the Delaware River, known as Finns Point range, Reedy Island range, and Port Penn range.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby authorized to reestablish the range lights on the Delaware River, known as Finns Point range, Reedy Island range, and Port Penn range, at a cost not exceeding \$90,000.

Mr. McALEER. I will state that this bill does not carry any appropriation.

The SPEAKER. Is there objection?

Mr. GROSVENOR. Mr. Speaker, I object.

Mr. McALEER. Mr. Speaker, I think that if the gentleman understood the necessity for the passage of the bill, he would not object to it.

Mr. GROSVENOR. It is no fault of the bill, but when gentle-

men undertake to object to all requests of this side of the House and to let requests from that side of the House pass, it can not be done, you know.

Mr. McALEER. I did not do it.

Mr. GROSVENOR. I know you did not.

Mr. McALEER. I merely want to say that unless these lights are rearranged on the Delaware River, it may cause great loss of life, because the lights at present are misleading.

Mr. GROSVENOR. I withdraw the objection.

The SPEAKER. The objection is withdrawn.

The bill was ordered to a third reading; and it was accordingly read the third time, and passed.

On motion of Mr. McALEER, a motion to reconsider the last vote was laid on the table.

By unanimous consent, on motion of Mr. McALEER, the corresponding House bill, H. R. 10649, was ordered to lie on the table.

REPAIR OF ROADS AND BRIDGES IN THE DISTRICT OF COLUMBIA.

Mr. GROUT. Mr. Speaker, I ask unanimous consent for the present consideration of a joint resolution sent over from the Senate making a small emergency appropriation for the repair of certain roads and bridges in the District of Columbia.

The SPEAKER. The gentleman from Vermont [Mr. GROUT] asks unanimous consent to take from the Speaker's table Senate joint resolution 130, for the present consideration of the same.

The joint resolution was read.

The SPEAKER. Is there objection?

Mr. LENTZ. Mr. Speaker, unless we can have the testimony in the Coeur d'Alene investigation printed, I object.

The SPEAKER. Objection is made by the gentleman from Ohio [Mr. LENTZ].

LEAVE TO PRINT.

Mr. GROUT. Mr. Speaker, I ask unanimous consent that I be allowed to print, in connection with my remarks last evening on the oleomargarine question, extracts from a speech I made in the House in 1886.

The SPEAKER. The gentleman from Vermont asks unanimous consent to extend in the RECORD his remarks made upon the oleomargarine bill, and to incorporate extracts from a speech which he made in 1886. It there objection.

Mr. LENTZ. Mr. Speaker, will the gentleman print the Coeur d'Alene testimony in connection with his remarks?

Mr. GROUT. I do not think the gentleman will ask me to do that.

Mr. LENTZ. I will not object.

There was no objection.

GENERAL DEFICIENCY APPROPRIATION BILL.

Mr. CANNON. Mr. Speaker, I desire to make a conference report on the general deficiency bill.

The SPEAKER. The gentleman from Illinois calls up a conference report on the deficiency bill. Without objection, the statement will be read and the report omitted.

There was no objection.

The statement of the House conferees was read, as follows:

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on amendments of the Senate to the bill (H. R. 11537) making appropriations to supply deficiencies for the fiscal year 1900 and prior years, submit the following written statement in explanation of the accompanying conference report:

The bill as finally agreed upon appropriates \$4,411,959.75, being \$28,946.15 less than as it passed the Senate, and \$663,299.77 more than as it passed the House. The latter sum includes deficiencies in appropriations for the support of the Government, judgments of courts, and audited accounts passed by the accounting officers of the Treasury, certified to Congress after the bill was passed by the House.

J. G. CANNON,

S. S. BARNEY,

Managers on the part of the House.

Mr. CANNON. Mr. Speaker, a word. I desire to ask unanimous consent that the members of the Committee on Appropriations, such as may desire, may have leave to make remarks covering statements of appropriations and the result of the work of the first session of this Congress for, well, say one week after the adjournment. It is impossible to make them now, because we have not got the aggregate.

The SPEAKER. The gentleman from Illinois asks unanimous consent that all members of the Committee on Appropriations have one week from the adjournment to print remarks upon the appropriations and the work of the committee.

Mr. LENTZ. I shall object unless leave be given to print the testimony on the Coeur d'Alene investigation.

The SPEAKER. The gentleman from Ohio objects.

Mr. CANNON. Now, Mr. Speaker, I desire to say, touching this matter, that we very readily agreed upon the conference report. I want to express my gratification that upon this bill the coordinate branch of Congress at the other end of the Capitol placed amendments on the bill substantially in pursuance of existing law and for the public service as being carried on. It was very easy to accommodate as to a conclusion. Having said this, I will,

without objection, make such extension of the remarks later on as will further illustrate the matter that I have in view; and now I move the adoption of the conference report.

The question was taken, and the conference report was agreed to. On motion of Mr. CANNON, a motion to reconsider the vote by which the conference report was agreed to was laid on the table.

ORDER OF BUSINESS.

Mr. CANNON. I desire to announce a little later on, as gentlemen come in after getting their breakfast, so that it seems we may have a quorum—I desire to make a conference report covering substantially the sundry civil bill in full, save and except one amendment. I do not do it now because the amendment is of some importance, and I desire to test the sense of the House touching the amendment not agreed to.

Mr. MCRAE. Mr. Speaker, I renew the request of the gentleman from Illinois, that he and others, members of the Committee on Appropriations, who desire to print statements in regard to the work of that committee and this Congress may do so. I hope the gentleman from Ohio will not object.

The SPEAKER. The gentleman from Arkansas asks unanimous consent that the members of the Committee on Appropriations be permitted to print remarks. Within how many days after adjournment?

Mr. CANNON. A week.

Mr. MCRAE. A week or ten days.

The SPEAKER. Within one week after adjournment, upon the work of the committee.

Mr. LENTZ. Mr. Speaker, I shall have to object if I am not permitted to do the same in reference to the Idaho labor troubles and the use by the President of the Army to break up labor unions.

The SPEAKER. Objection is made.

Mr. LENTZ. I withdraw the objection.

The SPEAKER. The objection is withdrawn, and it is so ordered.

Mr. PAYNE. Mr. Speaker, as the conference report on the general deficiency bill has been adopted, and that bill can now go into the hands of the enrolling clerk, and as the gentleman from Illinois desires a full House for the consideration of the sundry civil bill, I move that the House take a recess until 9:30.

The motion was agreed to.

And accordingly (at 8 o'clock and 35 minutes a. m., Wednesday, June 6) the House was declared in recess.

The recess having expired, the House was called to order at 9:30 a. m. by the Speaker.

SALARIES OF CERTAIN OFFICERS IN ALASKA.

Mr. DALZELL. Mr. Speaker, I present a privileged report.

The SPEAKER. The gentleman from Pennsylvania calls up a privileged report, which the Clerk will read.

The Clerk read as follows:

The Committee on Rules, to whom was referred House resolution 299, have had the same under consideration and herewith report it, with the recommendation that it do pass.

Resolved, That immediately after the adoption of this resolution it shall be in order to consider in the House joint resolution making appropriation for the payment of salaries of certain officers in the district of Alaska for the fiscal year ending June 30, 1901, and for other purposes.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

Mr. CANNON. Now, Mr. Speaker, I send the bill to the Clerk's desk.

The Clerk read as follows:

A bill S. 4952:

Be it enacted, etc. That the following sums be, and the same are hereby appropriated, out of any money in the Treasury not otherwise appropriated, in full compensation for the service of the fiscal year ending June 30, 1901, for the objects hereinafter expressed, namely:

District of Alaska: For governor, \$5,000; 3 judges, \$5,000 each; 3 attorneys, \$3,000 each; 3 marshals, \$1,000 each; 3 clerks, \$3,500 each; surveyor-general and ex officio secretary of the district, \$4,000; in all, \$55,500. Appropriations heretofore made for the payment of salaries of the above-named officials during the next fiscal year to be covered into the Treasury.

Mr. CANNON. Mr. Speaker, I ask that the bill be placed on its passage.

The bill was ordered to a third reading.

The SPEAKER. The question is on the passage.

Mr. RICHARDSON. I desire to ask the gentleman a question, if I can. Does this bill show the aggregate amount of appropriations for these officers?

Mr. CANNON. It shows the whole amount.

Mr. RICHARDSON. The whole amount appropriated is shown.

The question was taken, and the bill was passed.

On motion of Mr. CANNON, a motion to reconsider the vote by which the bill was passed was laid on the table.

STATUE OF LAFAYETTE AT PARIS, FRANCE.

Mr. HITT. Mr. Speaker, I ask unanimous consent for the present consideration of the Senate joint resolution 122, respecting the unveiling of the statue of Lafayette at Paris, France, July 4, 1900.

The Clerk read the bill, as follows:

Whereas the school children of the United States have, by their contributions of the sum of \$50,000, provided a statue of Lafayette, which, with the approval of the French Government, is to be unveiled at Paris, France, on the 4th day of July 1900; and

Whereas the United States, by an act of Congress approved March 3, 1899, appropriated the sum of 50,000 silver dollars of the United States for the purpose of aiding in defraying the cost of a pedestal to said statue: Therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the people of the United States anticipate and appreciate this ceremony with feelings of the greatest satisfaction, and that they regard the statue as expressing the honor and gratitude with which they cherish the memory of Lafayette and those of his countrymen who, by their arms and counsel, assisted in securing the independence of the United States.

Resolved further, That the President of the United States is hereby requested to transmit a copy of these resolutions to the Government of France.

Mr. HITT. Mr. Speaker, this is a unanimous report from the Committee on Foreign Affairs.

Mr. LENTZ. Will the gentleman from Illinois object to unveiling the testimony in the Cœur d'Alene case?

Mr. HITT. I have no authority to do that, I will say to the gentleman. [Laughter.]

Mr. LENTZ. I make no objection, Mr. Speaker.

The resolution was ordered to be read a third time; and being read the third time, was passed.

On motion of Mr. HITT, a motion to reconsider the last vote was laid on the table.

SUNDRY CIVIL APPROPRIATION BILL.

Mr. CANNON. Mr. Speaker I desire to call up the conference report on the sundry civil appropriation bill, and I ask unanimous consent to dispense with the reading of the report, and that the statement be read.

The SPEAKER. Without objection, the statement will be read and the reading of the report will be omitted.

There was no objection.

The Clerk read the statement, as follows:

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on certain amendments of the Senate to the bill (H. R. 11212) making appropriations for sundry civil expenses for the fiscal year 1901 submit the following written statement in explanation of the effect of the action agreed upon as to each of said amendments and submitted in the accompanying conference report, namely:

On No. 2: Strikes out the appropriation of \$10,000 proposed by the Senate for an elevator in the old custom-house at Detroit, Mich.

On No. 4: Strikes out the appropriation of \$50,000 proposed by the Senate for a public building at Norfolk, Nebr.

On No. 9: Appropriates \$30,000, as proposed by the Senate, for Rock Island Breakwater (Maine) pier-head light.

On No. 14: Appropriates \$40,000 for the Sabine Bank light and fog-signal station, Texas, and authorizes a contract for said light at a total cost not exceeding \$80,000.

On No. 15: Extends the limit of cost for the Toledo Harbor light and fog-signal station, Ohio, to \$100,000, as proposed by the Senate.

On No. 16: Diverts a former appropriation of \$15,000 for a light vessel for Poe Reef, Michigan, to the construction of a light vessel for Grosse Pointe, Michigan, as proposed by the Senate.

On No. 17: Appropriates \$2,700 for additional range lights at the entrance of St. Marys River, as proposed by the Senate.

On No. 18: Strikes out the appropriation of \$3,500, proposed by the Senate, for building a dwelling for the light keeper at Grosse Isle, South Channel Detroit River, Michigan.

On No. 19: Strikes out appropriation of \$3,000, proposed by the Senate, for a light keeper's dwelling at Grosse Isle, North Channel Detroit River, Michigan.

On No. 20: Strikes out provision, proposed by the Senate, for a relief light vessel for the Twelfth and Thirteenth light-house districts, to cost \$80,000.

On No. 22: Appropriates \$24,000 additional, as proposed by the Senate, for Desdemona Sands light-house, Oregon.

On No. 24: Appropriates \$100,000, instead of \$150,000, as proposed by the Senate, for light-house and fog-signal stations in Alaskan waters.

On No. 27: Authorizes suitable lights at the mouths of Warroad and Rainy rivers, in Minnesota, as proposed by the Senate.

On No. 28: Strikes out appropriation of \$8,000, proposed by the Senate, for lighting ship channels on the Great Lakes.

On No. 30: Strikes out provision proposed by the Senate for a revenue cutter for service on St. Marys River, Michigan, at a cost of \$75,000.

On No. 61: Strikes out appropriation of \$10,000 proposed by the Senate for establishing fish-hatching stations in Idaho and Utah.

On No. 73: Places under the supervision and direction of the Secretary of the Treasury the execution of the Chinese exclusion and immigration laws.

On No. 82: Strikes out the matter inserted by the Senate relative to the settlement of claims of certain States and inserts in lieu thereof a provision repealing so much of section 4 of the act of March 3, 1899, as authorizes suits against certain States.

On No. 93: Inserts as a substitute for the provision proposed by the Senate concerning forest reservations the following:

"That all selections of land made in lieu of a tract covered by an unperfected bona fide claim, or by a patent, included within a public forest reservation, as provided in the act of June 4, 1897, entitled 'An act making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1898, and for other purposes,' shall be confined to vacant surveyed nonmineral public lands which are subject to homestead entry not exceeding in area the tract covered by such claim or patent: Provided, That nothing herein contained shall be construed to affect the rights of those who, previous to October 1, 1900, shall have delivered to the United States deeds for lands within forest reservations and made application for specific tracts of lands in lieu thereof."

On No. 96: Appropriates \$1,100, as proposed by the Senate, additional for contingent expenses of the surveyor-general of Colorado.

On No. 98: Strikes out the provision proposed by the Senate concerning entry of lands in wagon-road and railroad land grants in Oregon.

On No. 101: Appropriates \$11,000, as proposed by the Senate, for the survey of lands in the Fort Buford abandoned military reservation.

On Nos. 105 and 106: Appropriates \$100,000 instead of \$50,000, as proposed by

the House, and \$250,000, as proposed by the Senate, for gauging the streams and determining the water supply of the United States.

On Nos. 108 and 109: Appropriates \$10,000 instead of \$4,000, as proposed by the House, and \$25,000, as proposed by the Senate, for improvement of the Sequoia National Park.

On No. 110: Authorizes, as proposed by the Senate, an increase in the number of admissions from the States to the Deaf and Dumb Institution from 60 to 100.

On Nos. 113, 114, and 115: Strikes out appropriation of \$35,000, proposed by the Senate, for a new building at the Schuykill Arsenal, and appropriates, as proposed by the Senate, \$16,000 for repairing No. 3 fireproof building, and \$6,000 for rearranging the inspecting and issuing department at said arsenal.

On No. 117: Appropriates \$6,000 for expense of preparing plans for the enlargement of the Executive Mansion, and \$4,000 to enable the Chief of Engineers to make an examination and report to Congress plans for the treatment of that section of the District of Columbia situated south of Pennsylvania Avenue and north of B street SW., and for a suitable connection between the Potomac and the Zoological parks.

On Nos. 120, 121, 122, 123, 124, and 125: Requires that of the appropriation of \$1,000,000 for military posts, \$30,000 shall be expended at Fort Leavenworth, Kans.; \$40,000 at Bismarck, N. Dak.; \$30,000 at Fort Riley, Kans.; \$50,000 at Fort Meade, S. Dak.; \$50,000 at Fort D. A. Russell, Wyo., and \$30,000 at Fort Constitution, N. H.

On No. 134: Strikes out appropriation of \$300,000, proposed by the Senate, for a memorial bridge across the Potomac River.

On No. 136: Appropriates \$25,000, as proposed by the Senate, to maintain channel, South Pass, Mississippi River.

On No. 139: Inserts the provision proposed by the Senate relative to improvement of the Upper White River, Arkansas.

On Nos. 140 and 141: Appropriates \$2,250,000, as proposed by the amendment of the House, instead of \$2,500,000, as proposed by the Senate, for improving the Lower Mississippi River, and strikes out the provision proposed by the amendment of the House relating to levees on the Mississippi River from Cairo to the Gulf.

On No. 142: Appropriates \$250,000, as proposed by the Senate, for the improvement of the Upper Mississippi River.

On No. 143: Appropriates \$250,000, as proposed by the Senate, for improving the Missouri River.

On No. 144: Inserts the provision proposed by the Senate relative to construction of a bridge across the Yellowstone River in Montana.

On No. 145: Appropriates \$250,000 for the repair of the jetty at the mouth of Columbia River, Oregon and Washington.

On No. 146: Appropriates \$10,000 for report upon claims for private property taken in the military service within the limits of the United States during the war with Spain, as proposed by the Senate.

On No. 147: Strikes out the provision proposed by the Senate concerning the establishment of a Branch Soldiers' Home in Idaho.

On No. 148: Restores to the bill the provision proposed by the House relative to the settlement of claims of officers, soldiers, sailors, and marines, limiting the same to claims presented and filed hereafter.

On No. 149: Appropriates \$1,800 for an agent representing the officers of the Confederate navy in the office of Naval Records of the Rebellion.

On No. 157: Strikes out the appropriation of \$1,000 for salary of woman commissioner to represent the United States and the Daughters of the American Revolution at the unveiling of the statue of Lafayette at Paris.

On Nos. 158 and 159: Strikes out the appropriations proposed by the Senate of \$1,750 for legation buildings at Seoul, Korea, and \$25 for care and preservation of legation buildings at Bangkok, Siam.

On Nos. 168 and 169: Strikes out proposed increase of allowance for expenses of office of the district attorney for the District of Columbia.

On No. 170: Strikes out appropriation of \$7,500 proposed by the Senate for a statue of Rochambeau.

On No. 171: Restores to the bill the provision proposed by the House relating to the files of the House of Representatives, and appropriates \$1,500 for the execution thereof.

On No. 172: Strikes out the provision proposed by the House relating to the appointments controlled by the Joint Committee on Printing.

On amendment No. 81, to pay the claim of the State of Nevada, the committee of conference have been unable to agree.

J. G. CANNON,
W. H. MOODY,
THOS. C. MCRAE,
Managers on the part of the House.

Mr. CANNON. Mr. Speaker, this bill when it passed the House carried, in round numbers, \$31,000,000. The Senate substantially accepted the House provision, and added by way of Senate amendment provisions appropriating, in round numbers, if adopted, \$5,000,000. Of this \$5,000,000, the conferees, as explained in detail in the statement on the part of the House, yielded \$3,000,000 for rivers and harbors and one million for other items, in the main light-houses and kindred items. The Senate yielded, in round numbers, items covering \$1,000,000.

It is proper to say that the river and harbor items that are covered by the action of the House in a former report, or rather by the action of the House in substantially concurring with the Senate, are as follows:

Lower Mississippi River, \$2,250,000; that was the action of the House before the bill went to conference the last time, the House conferees recommending in the conference report an agreement for the Upper Mississippi River by the way of Senate amendment of \$250,000; for the Missouri River, \$250,000; for the Columbia River, \$250,000; making an aggregate for river and harbor items alone, outside of the contract provision which the bill carried as it passed the House, of \$8,000,000.

Your conferees found these items touching rivers and harbors, touching light-houses, touching light services in Nebraska, touching various other items, upon the bill by Senate amendments. The House itself accepted, of the \$4,000,000, as I before stated, \$2,250,000. Of course if the House conferees had their way about it, every amendment, every Senate amendment not authorized by existing law, or to extend public works now in progress, would have gone from this bill.

But with the closing hours of the session upon us and the Sen-

ate a coordinate branch, we found it impossible to agree to the bill, except as we met it, when the crucial minute came, in a spirit of compromise. For the river and harbor items the House substantially conceded a million dollars and the Senate substantially receded a million dollars. In my judgment, under all the circumstances, it was as good an outcome as could be arrived at. I believe that the House ought to adopt the conference report. It is a complete agreement except as to one item, and that item is the item known as the State of Nevada claim. We could not agree with the Senate upon that item, but could upon all other items; and after the conference report is adopted, if such is the will of the majority, that item remains for disposition by the House.

Mr. LIVINGSTON. Will the gentleman yield to me?

Mr. CANNON. I want to yield first to the gentleman from Arkansas [Mr. McRAE].

Mr. NEWLANDS. Will the gentleman yield for an inquiry?

Mr. CANNON. Yes.

Mr. NEWLANDS. Does the gentleman propose to have a separate vote on the Nevada item after the report is accepted?

Mr. CANNON. Yes; the report has nothing to do with the Nevada item. I want to ask the gentleman from Arkansas [Mr. McRAE] if he desires any time on this conference report.

Mr. MCRAE. Mr. Speaker, I think this report ought to be adopted. We have accomplished everything that it was possible to accomplish, and in the main the report is right. There are some things in it that ought not to be, but many more that should be. If there is any particular amendment about which any explanation that I can make is desired I shall be glad to give it.

Mr. LACEY. May I ask the gentleman a question in regard to the amendment relative to the forest-reserve scrip?

Mr. MCRAE. Yes, sir.

Mr. LACEY. I understand, from the reading at the Clerk's desk, that the time for filing the relinquishment by the owners of this land in the reserve is extended by the agreement of the conferees until the 1st of October. Does not the gentleman think that that will result in practically allowing all the land to be surrendered?

Mr. MCRAE. The provision as agreed to will give the owners of lands inside of reservations only until October to take unsurveyed lands, and it is much better than the provision of the existing law, upon which there is no limitation to take such land. The Senate proposition was objectionable in a way which it is not necessary to explain to the gentleman from Iowa, for I am certain he did not approve it. This substitute is what is wanted by many people, and is right. If the report is adopted, being the first section of the bill recommended by your Committee on Public Lands, with the change from May 23 to the 1st of October to make exchange of lands within for lands without reservations, without any restrictions as to the character of the lands.

The only change we make in that section is by striking out the "23d of May" and inserting the "1st of October." Objections to the whole provision for a change of law was made. Something is necessary. In my opinion it was impossible to obtain the necessary legislation except with this extension of time. It is much better than nothing; and in my judgment it is much better than the existing law or the Senate amendment. It is substantially what the Committee on Public Lands want and what members of the Public Lands Committee in the Senate have agreed to accept, and the very best that some would agree to. As a whole I think the report should be adopted.

Mr. BURTON. I would like to inquire whether the item pertaining to the Missouri River—amendment number 143—was accepted by the House conferees in the exact form in which it passed the Senate?

Mr. MCRAE. Yes, sir.

Mr. BURTON. Without any change?

Mr. MCRAE. Yes, sir.

Mr. CANNON. Does my colleague on the committee, the gentleman from Georgia [Mr. LIVINGSTON], desire any time?

Mr. LIVINGSTON. Yes, sir; a short time.

Mr. CANNON. I yield to the gentleman five minutes.

Mr. LIVINGSTON. Mr. Speaker, I undertake to say that the appropriation agreed upon by the conference committee in amendments numbered 104 and 105 is not sufficient. The amount carried in the Senate amendment should, in my humble opinion, be left in the bill. Let me state why. The measurement of these streams involves the amount of water power, the question of water supply for cities, the questions of stream pollution, irrigation, drainage, navigation, and, to a large extent, the mining interests of the country; and while I shall not formally oppose the adoption of the report, the time must come, and come soon, when Congress shall recognize the importance of the measurement of the streams of this country.

In my section of the country to-day we are flooded with letters from every quarter of the Union inquiring about the water power; and a number of inquiries relate to the question of the supply

for mining in the mineral regions of the country. There is involved still another question affecting many sections of the country, and that is pure drinking water. The question whether you can locate and promote artesian wells in those sections of the country is a question involving millions of money.

I trust, Mr. Speaker, that when this matter comes again to Congress we can afford to be liberal enough at least to furnish the information needed by the country in regard to water power, navigation, irrigation, and last, but by no means least, the pollution of streams upon whose supply of drinking water millions and millions of lives depend. We know scarcely anything in regard to this point. There has been no effort made to ascertain whether the waters used by the large cities and the smaller cities is so polluted that it is constantly breeding death to our people. And here is a pitiful sum of only \$100,000 appropriated to cover all investigation touching these important matters.

Mr. MCRAE. Will the gentleman allow me right there?

Mr. LIVINGSTON. Yes, sir.

Mr. MCRAE. I wish to suggest that I think the Department estimated in this case for only \$50,000. The force having charge of this work has been organized heretofore on that basis. This appropriation is increased to \$100,000, more than was ever given before for this work, and in the opinion of the committee is as much as can be used without unnecessarily increasing the force. As the scheme has been prosecuted this force can do very well on \$100,000, and can accomplish three times as much work as has been done with the old sum. But to utilize a larger appropriation would require the appointment of a very much larger force, to be dropped, perhaps, next year, breaking down this very important and necessary work which is being carried on under the supervision of the Director of the Geological Survey. The friends of the measure do not believe we ought to appropriate \$250,000.

[Here the hammer fell.]

Mr. MCRAE. If I have taken the gentleman's time, I ask the chairman of the committee [Mr. CANNON] to yield him some time to compensate for that.

Mr. CANNON. Does the gentleman from Georgia desire to speak further?

Mr. LIVINGSTON. I want only to add that my criticism was not entirely upon the conferees or the Appropriations Committee. It is as much upon the Department. If the Department estimated for only \$40,000, it ought to have understood better the demands on this line and estimated for a larger sum. It is no excuse that the estimate is for only \$40,000. It appeared to the Senate Appropriation Committee that there was absolute necessity for an appropriation of \$250,000, and it was demonstrated beyond doubt that this sum can be utilized to the profit of the people of the whole country.

Mr. CANNON. I now yield to my colleague, the gentleman from Massachusetts [Mr. MOODY], such time as he may desire.

Mr. MOODY of Massachusetts. Mr. Speaker, if I may have the attention of the gentleman from Georgia [Mr. LIVINGSTON], I think he will agree with me that there is neither any criticism due to the committee of conference, or the Committee on Appropriations, or the Department having charge of the work to which he has referred. And I may say, in the same connection, that I think my friend from Arkansas [Mr. MCRAE] was wrong in one respect when he stated that the full estimate of the Department for the pursuance of this work was \$40,000. The full estimate was \$50,000. He was right in saying that we gave the full estimate.

Mr. LIVINGSTON. I think both are wrong.

Mr. MOODY of Massachusetts. The State geologist of North Carolina, representing the Southern section of the country, came before the subcommittee having charge of this appropriation, and then asked an appropriation of \$50,000 only for the prosecution of the work.

Now, we considered that recommendation, and that provision was embodied in the bill adopted by the House. No man in the House or out of the House at that time raised his voice for an increase in the appropriation suggested by the subcommittee and adopted by the full committee. The bill went to the Senate in that form, and the committee of that body, on an investigation of the matter, increased the appropriation to \$100,000. In the Senate itself, after the bill had been reported from the committee with such discussion as matters of that kind there obtain, it was finally raised to the sum of \$250,000.

The House subcommittee again investigated the question. We found that \$100,000 was the maximum sum that could be profitably employed in the work; that it would be ample to begin the work in the gentleman's own section of the country, where we were anxious to begin it, and continue it in the arid part of the country where it had prevailed before. We believed that \$250,000 was simply a waste of the public money, and that every just and proper demand of the country was met by the appropriation as the conference committee reported it and as the Senate committee reported it to the Senate and as we find it now embodied in the pending conference report.

I was very anxious for many reasons to do full and even more than full justice to the desires of gentlemen from other parts of the country to explore the water sources all over the land. I was especially desirous in view of the fact that my section of the country had no interest whatever in this matter, and I wished to be particularly careful, if for no other reason, that the other sections should have full justice in the premises, and I think that full justice has been done under the bill as it now stands.

Mr. LIVINGSTON. I presume the gentleman from Massachusetts understands that this sum is to be prorated between the different States?

Mr. MOODY of Massachusetts. No; I do not so understand it.

Mr. LIVINGSTON. Well, that is true at all events.

Mr. MOODY of Massachusetts. Whether there is such a provision of law requiring the prorating of the appropriation between the States or not, I do not know. I think the gentleman is mistaken. I understand that there is no such provision of law. I understand that the expenditure of the money rests entirely in the discretion of the Geological Survey.

Mr. LIVINGSTON. I undertake to say that it is the custom, whether there be law for it or not, to prorate such amounts between the States.

Mr. MOODY of Massachusetts. That may be true.

Mr. LIVINGSTON. Now, take the sum of \$100,000 which is provided here. You prorate that amongst the States. My State, which should have at least \$800,000 or \$900,000 to do the work, gets the pitiful, beggarly sum of about \$3,000, if this money is so prorated.

Mr. MOODY of Massachusetts. I yield, of course, to the gentleman's superior information as to the apportionment, but I am informed that this is not so apportioned. A great many of the States do not get it, having no need for the appropriation at all, and the amount is divided amongst those where the necessity for the work exists.

Mr. LIVINGSTON. But between the States where it is necessary to be expended it means but very little to the accomplishment of the work so important to our people.

Mr. MOODY of Massachusetts. It may be that the appropriation is not as ample as the gentleman from Georgia would desire. But the committee believe that we have dealt generously with the subject.

Mr. LIVINGSTON. I do not wish the gentleman to understand me as opposing the adoption of the conference report.

Mr. MOODY of Massachusetts. I understand that.

Mr. LIVINGSTON. I wish the House to understand, and we may as well understand it now, that this is a demand from various sections of the country—a demand that comes up generally from all portions of the country—and a demand that ought to be met and met liberally.

Mr. MOODY of Massachusetts. And we tried to meet it.

Mr. LIVINGSTON. I think so, and I thank the gentleman and the other members of the committee for doing what they have done for us. But we must have more in time, and the shorter the time the better for the people of the country.

Mr. KING. I should like to ask my friend from Georgia [Mr. LIVINGSTON] one question before he sits down. I am not familiar with the appropriation to which the gentleman is alluding; but do I understand the gentleman from Georgia to contend that it is the duty of the Federal Government to enter upon a scheme of investigating the drinking water supply of the country and the means of preventing pollution of it in every State of this Union, and to find out where people can locate farms to advantage and get good water, and so forth?

Mr. LIVINGSTON. No; the gentleman does not understand any such thing, and I do not think he supposes that is the object of this.

Mr. KING. I understood that was the gentleman's contention.

Mr. LIVINGSTON. No; it is not.

Mr. CANNON. I yield to the gentleman from Colorado [Mr. SHAFROTH] two minutes.

Mr. SHAFROTH. Mr. Speaker, I want to answer the question of the gentleman from Utah [Mr. KING]. I want to say that this appropriation, in smaller amount, has been carried in the sundry civil bill heretofore, and the object is a most excellent one. The gauging of streams, the survey of reservoir sites, the measurement of the water, and the sinking of artesian wells, all have a national importance, especially since a great many of these streams and a great many of these reservoirs are upon the public domain, and the Government is directly interested in them. If these reservoirs are built, or the underflow of water is found by the sinking of artesian wells, it enhances the value of the public lands, and will settle and develop vast areas of arid lands which are now nothing more than wastes. Besides that, these matters are of great commercial value to the people of the nation. I know in my own State that by reason of the geological survey of the streams of the Arkansas Valley and the measurement of the

waters of that stream a sugar factory with a capital of more than \$500,000 has been located there within the last six months.

There can be no doubt but what something that produces the data upon which people can ascertain the flow of water in a stream is of great value, especially in the development of electrical power. This information is of immense value to all enterprises that expect to utilize waters. For that reason I have been in favor of an increased appropriation. With this appropriation of \$100,000 we are content at this time, but we do want a fair hearing and a fair show upon these measures.

[Here the hammer fell.]

Mr. CANNON. Mr. Speaker, I yield to the gentleman from Washington [Mr. JONES] five minutes.

Mr. JONES of Washington. Mr. Speaker, I am glad to see that the committee have taken into consideration the question of lieu selections upon forest reserves, and have placed a provision in the bill which, although not entirely satisfactory, is reasonably so, and will to a great extent remedy evils that have grown up under the act of 1897. It will be remembered that in the sundry civil bill of 1897 persons holding lands within forest reservations were allowed to surrender those lands and select in lieu of them lands upon any of the public domain of the United States, whether surveyed or unsurveyed. It was evidently the intention of the law that those selections should be confined to surveyed lands, but in the haste with which this legislation was passed the wording was such that the Department could make no other construction than to hold that these new selections could be made of any of the lands of the United States, whether surveyed or unsurveyed.

As a result of this construction, barren, worthless tracts of land have been and are being surrendered to the Government, and in lieu of them some of the finest timber lands of the country have been and are being selected, lands that could not be taken up by homestead settlers nor by anyone else, and could not even be purchased. Now, the Committee on the Public Lands considered this matter very carefully at this session and reported a bill confining these selections to surveyed lands and providing that the rights of those who had surrendered their lands to the Government prior to the 23d of May, the date upon which the report was ordered on the bill, and had applied for specific tracts in lieu thereof, should not be affected.

Now, the amendment here simply changes that provision by making the date when the right to make lieu selection on unsurveyed lands shall cease on the 1st day of October, 1900.

While I would have been glad to have it stopped now, yet, as the gentleman from Arkansas stated, it is better to have it this way than to allow this policy to continue; and after the 1st of October, 1900, these selections upon unsurveyed lands will be stopped, and will be confined to surveyed public lands of the Government. I am satisfied that until the 1st of October, 1900, there will be no more of these forest reserves established, and therefore selections will be confined to present reserve lands. It is to be noted that specific tracts must be selected. This will involve considerable time and examination and tend to limit selections. So I want to say that I am pleased with the action of the committee in adopting this amendment even as it is.

Regarding the provision for an appropriation of \$100,000 for the Geological Department in determining water supply and water sources, I am pleased to see the liberality with which the committee have acted in this matter.

I should have been glad if we could have had a larger amount, although I am satisfied the amount allowed here, \$100,000, will do a great and good work. It seems to me that there is just as much reason that the Government should look after and determine the amount and sources of the water supply of this country, especially in the arid regions, where water is the very life of prosperity, as there is in the Government taking money to survey and improve harbors, not for the benefit of the Government, but for the benefit of the people at large. This is exactly what this appropriation will be—an appropriation for the benefit of the people. The very prosperity of our people, especially in some sections of the West, depends upon the amount of water and the means by which it can be used. We need more, but this amount will greatly enlarge the work. As the people of the whole country come to realize more fully the needs and possibilities of our western country we will get more liberal appropriations from Congress.

Mr. Speaker, there is one other amendment in this sundry civil bill that I have been importuning the conference committee to accept, and that is the amendment No. 24, appropriating \$150,000 for the establishment of lighthouses and fog signals in Alaskan waters. I am glad that the conference committee of the House appreciated the necessities for this appropriation and have consented that \$100,000 shall be carried by this bill for this purpose. This is not all that is needed, nor all that should be spent, but it is a good start toward securing proper guides to navigation in these waters, and I have no doubt but that at the next session of Congress adequate appropriations will be made. A bill has already passed the Senate at this session appropriating \$300,000 for

this purpose, and this bill was unanimously and favorably reported from the Interstate and Foreign Commerce Committee of the House and is now on the Calendar. It is a shame that this action has not been taken long before this. Thousands of our best citizens are now in Alaska and thousands more are on the way. Every State in this Union is interested in the proper means for the protection of life along this great highway to the North, because every State in the Union is represented in that great stream of humanity wending its way to the northern land of ice, snow, glacier, and gold.

Many will take the open track across the ocean to Dutch Harbor and thence to the golden beaches of Cape Nome. Many others will take the inside passage to Ketchikan, Juneau, and Douglas City, Skagway, Glacier Bay, Killisnoo, and Sitka, either for pleasure or profit. Through this inside passage the great gold fields of the Klondike, the great quartz mills of the Treadwell, the great quartz prospects of all southeastern Alaska, and the grandest and most sublime scenery of the world are reached.

The trip from Seattle to Sitka is destined to be the one most taken for pleasure or for profit. By the usual route of travel it is about 1,300 miles in length, or almost 2,600 miles on the round trip. It is a sea voyage, with all the discomforts of a sea voyage eliminated and all the beauties of a mountain trip included. It takes about ten or twelve days to make the round trip and only about twelve hours of this time are spent upon the ocean's swell. The remainder of the trip is on the smooth, glassy surface of a deep salt river, twisting, turning, and winding between rocky walls of lofty mountains, arising abruptly from the water's edge, green with hemlock and moss, silvered with streams of rushing waters, or seamed with the furrows of the avalanche. This salt river varies in width from a couple of hundred feet to several miles. Usually, however, it is about a mile or so in width. Throughout its whole length the tide ebbs and flows.

At one point it is a broad expanse of smooth, still water, stirred only by the leaping salmon or upheaved by the Leviathan of the deep. At another it rushes through its narrow channel with the speed of a mill race, foaming, boiling, and surging with a power that the strongest ship can hardly resist. Here and there huge rocks lift their jagged crests near to and above the surface of the water, as if peeping forth for prey. Abrupt turns ward off the mountains when outlet seems gone. Shoals and shallows skirt almost fathomless depths.

As you travel this mighty river within the confines of Canada you see here and there the welcome light-house. As the northern night settles down like a black curtain you see here and there the star-like shimmer of the lights along the shore or from some rocky point. As you enter a bank of fog, so dense that your ship seems to cut a block from its pathway, you hear the welcome sound of the fog horn, reverberating from mountain to mountain, the sublimest music you ever heard. You go to your berth feeling that you are secure with these safeguards to guide the patient, watchful, skillful pilot at the wheel.

What is your consternation when you reach that part of this mighty stream lying within our own domain and look for the welcome light that has cheered your way thus far and see it not, and you listen for the music of the fog horn and hear it not? You then learn that this Government, of which you are so proud, has done nothing to insure your safety or the safety of those hardy mariners who travel these almost unknown waters from day to day and from month to month. You have nothing between you and shipwreck save the steady hand at the wheel, guided only by the dim outlines of huge mountains or the echoes of the whistle of his own boat. Every unusual shiver of the boat, every jar, shocks your tensioned nerves, and your sleep is light and broken. Thousands travel that long, winding, treacherous channel from Dixon's Entrance to Sitka, a distance of almost 1,000 miles. It is a shame to the American Congress that it has not made provision for the safety of the thousands who are rushing toward that far-off northland in search of fortune or pleasure, and especially for those hardy mariners that go backward and forward in the work of transportation, and it is a credit to this Congress that it is taking up this important work. With a total coast line of 29,000 miles the only light in Alaskan waters is a lantern hung on a white frame in the harbor of Sitka.

Adopt this conference amendment. Set aside this money. Start at once the erection of these lights and the construction of these fog signals ere the long northern nights come on or the fogs set in. Let not another year shame us with delay. Let not our flag continue to droop with shame in these far-off lands. Instead of discussing policies, let us act for the protection of the people.

The adoption of these three amendments will bring credit to this Congress and be of real and practical good to the people. They will require no apologies for their enactment. [Loud applause.]

The SPEAKER. The time of the gentleman has expired.

Mr. CANNON. Now, Mr. Speaker, I will move the previous question on the adoption of the report.

The SPEAKER. The gentleman from Illinois asks the previous question on the adoption of the report.

The question was taken; and the previous question was ordered.

The question was taken on agreeing to the conference report; and the conference report was agreed to.

Mr. CANNON. Now I move that the House further insist on its disagreement to the Senate amendment indicated, known as the Nevada claim amendment.

The SPEAKER. The gentleman from Illinois moves that the House further insist on the disagreement to the amendment known as the Nevada claim amendment.

Mr. NEWLANDS. Mr. Speaker, I move that the House recede and concur.

The SPEAKER. The gentleman from Illinois moves that the House insist on its disagreement, and the gentleman from Nevada moves that the House recede and concur. The latter motion takes precedence.

Mr. CANNON. Now, Mr. Speaker, I desire to reserve my time, and will yield later such time of my hour as we shall agree just and equitable to the gentleman from Nevada. My colleague on the conference, the gentleman from Massachusetts [Mr. MOODY], desires to be heard upon this amendment.

The SPEAKER. The gentleman from Illinois reserves his time, with the assurance that he will yield to the gentleman from Nevada such time as he may require.

Mr. CANNON. Such time as is equitable.

The SPEAKER (continuing). And the gentleman from Massachusetts, one of the conferees, is recognized in his own right.

Mr. MOODY of Massachusetts. Mr. Speaker, I ask that the Clerk read the amendment for the information of the House.

The Clerk read as follows:

To pay the State of Nevada the sum of \$462,41.97 for moneys advanced in aid of the suppression of the rebellion in the civil war, as found and reported to Congress on January 22, 1900, by the Secretary of the Treasury, as provided in the act of Congress approved March 3, 1899.

Mr. MOODY of Massachusetts. Mr. Speaker, I trust that the members of the House may ascertain exactly what this claim is and what kind of a precedent it will set, because if the claim is agreed to by the House all of you who represent any States that did not secede will be called upon to prosecute claims of like nature from your own State. The committee of conference without action of the House did not feel justified in agreeing to this item, for two reasons. First, because it was a recognition of a kind of State claim that has never been recognized by Congress before. There has never been a dollar paid from the Treasury of the United States in settlement of claims of the kind represented in this item. And, second, because if this claim is paid, a claim of \$4,000,000 and over of the State of California must be paid, and a claim of \$400,000 of the State of Oregon must be paid, because in every possible respect the claims of California and Oregon are on all fours with the claim of the State of Nevada.

I will, as briefly as I can, state exactly the facts out of which State claims which have been paid hitherto have arisen and out of which this claim, which is before us now, has arisen. At the beginning of the civil war the Treasury of the United States was empty. The Government of the United States called for aid in paying and equipping troops from all the loyal States, and those States responded. Congress passed a law which directed the Treasury to indemnify the States for the "cost, charges, and expenses properly incurred by any State" for enrolling, subsisting, clothing, paying, etc., troops which entered the service of the United States. Now, every claim under that statute has been paid; every dollar which the United States owes under that statute has been paid, except some claims for interest which are due and outstanding.

Mr. MONDELL. Did the State of Nevada have any claim under that statute?

Mr. MOODY of Massachusetts. The State of Nevada had a small claim, which I will refer to later on, which has been paid. Now, there was a peculiar exigency on the Pacific coast. The war vessels of the Confederacy had destroyed water communication between the Atlantic and the Pacific coasts. The only route open was the overland route. The regular troops of the United States had been withdrawn from the Pacific coast. It became necessary to appeal to the States and Territories on the Pacific coast to raise troops for the benefit of the Government. They responded loyally; they did their work well. They performed as important a function in suppressing the rebellion as the troops of other States who crossed the Potomac, because it was just as necessary to keep open the overland route, protect that communication from an Indian rising, as it was to defend the capital of the United States.

At that time the cost of living on the Pacific slope was very great. The wages of labor were very high. It was difficult to raise troops for the service of the United States. These two conditions prevailed in all the States, but prevailed in none of them

to the same degree that it prevailed on the Pacific coast, according to the testimony before us. Accordingly the States of California and Oregon and the Territory of Nevada voted to pay their troops who entered into the service of the United States a certain sum in addition to the amount they received from the United States. They based their action somewhat on the policy the United States had adopted for the payment of the regular troops, because they had allowed those who served on the Pacific coast an extra allowance or compensation. But that policy had been abandoned by the United States and the statute prescribing it repealed at the beginning of the civil war, I suppose upon the ground that it was thought that the conditions that made the extra payments necessary had passed away.

Up to this point claims of the Pacific Coast States for the refunding of extra pay stand on the same footing with the claims of all other States. But there is one difference that ought not to be disregarded by the House. The Pacific slope was upon a gold basis. The troops were paid in greenbacks. That is all the difference, except in degree, between the States of Pennsylvania, New York, or Massachusetts and the States of California, Oregon, and Nevada.

The State of Massachusetts paid, for instance, in the civil war, as it did in the war with Spain, so much a month extra for troops that entered into the service of the United States on account of its quota. But the States of Massachusetts and Pennsylvania or Illinois, or any of the States, have never been paid anything by the United States on account of the bounties or extra monthly payment which they paid their troops. No State has ever yet been paid anything on account of the extra payments to their troops for which the State of Nevada now presents this claim.

Now, what next happened? The State of Nevada had no claim under the act of 1861. No State had a valid claim under that act for payments like those made by Nevada, for which the claim is now made. But Nevada and some other States, desirous of receiving back what they had paid out by way of bounty and by way of extra pay, caused the act of 1882 to be passed, and that is the next step in this proceeding.

Now, let me have the attention of the House one moment while I state the effect of that act. It was approved June 27, 1882, and it provided for an examination and investigation of the claims of Texas, Colorado, Oregon, Nebraska, California, Kansas, Nevada, Washington, and Idaho for moneys expended and indebtedness assumed in organizing, arming, equipping, supplying clothing, subsistence, transporting, and paying volunteer and military forces of said States that entered the service of the United States.

Section 4 of the act provides that the Secretary of the Treasury shall report to Congress for final action the results of such an examination and investigation.

Now, remember, Mr. Speaker, Nevada had no claim under the act of 1861. This provision was passed in 1882. Under it the Secretary of the Treasury, acting in combination with the Secretary of War, made a report. I hold in my hand the report upon the Nevada claim—366 pages of fine print. I want to take this occasion here and now to protest against an inquiry of this kind in the closing hours of Congress being thrown upon the committee in charge of a great money bill. How can we properly do our duty there? It ought to be before the Committee on Claims, investigated by the Committee on Claims, reported by the Committee on Claims, and considered by the House in a manner in which it is now impossible to consider it.

Mr. NEWLANDS. Will the gentleman please state in that connection that this bill has been favorably reported in this House four times?

Mr. MOODY of Massachusetts. I am not speaking of reports. **Mr. NEWLANDS.** And has passed the Senate twice.

Mr. MOODY of Massachusetts. I never heard about this claim until the gentleman from Illinois came to me on the first day of the conference and handed me that report about three-quarters of an hour before our duties began, saying to me, "I wish you would look into that matter." I have been compelled to look into it in odd moments from that day to this; but I believe I have the substance of the controversy clearly in my mind.

Under the act of 1882 claims of California, Oregon, and Nevada were reported; and they were rejected, except \$8,500, which was paid to the State of Nevada.

So we have taken two steps: First, the State of Nevada has no claim under the law under which the claims of these other States arose; second, a special act referring the claim of that State, together with others, to the Secretary of the Treasury was acted upon by that official and the claim rejected, as the claim of California was rejected, as the claim of Oregon was rejected. The claim of Texas was allowed and paid; the claim of Kansas was allowed and paid.

The representatives of the State of Nevada, having in mind the equities of which I have spoken, and which I do not intend to minimize at all, were not satisfied with that action of the Department.

Accordingly, the Senate passed a bill very much broadening the ground of claim against the United States. That bill came over to the House, and the House did not pass it.

Whether the House refused to pass it or not I do not know. At any rate, the House did not pass it. Accordingly, the Senate placed in a Senate resolution the substance of that bill, and I ask your attention while I read it, because it shows the foundation upon which this claim rests, and it shows the great superstructure which may grow up upon this foundation. It provides for the investigation of the claims of the States of California, Oregon, and Nevada growing out of the war of the rebellion and a statement of the amount of money each of those States expended or the obligation they incurred in recruiting, enlisting, enrolling, arming, equipping, and paying their volunteers, their militia, and home guards.

I call to the attention of the members of the House and Representatives of States this language: "And for bounty and extra pay and relief paid to their volunteers, militia, and home guards." This is the real gist of the resolution. "Bounty, extra pay, and relief."

Now, under the resolution of the Senate calling for a report upon bounty and extra pay and relief Nevada has a claim. Nevada paid out \$110,000, which was substantially all paid on account of this extra pay, to her volunteers. That sum, with interest, amounts, to-day, to \$162,000; and if Nevada is entitled to look to the General Government for reimbursement for the extra pay of her soldiers, she is entitled to have this claim acted upon and paid by the Government; otherwise she is not.

It has been stated that the claims of other States have been paid. They have; but no claim like this has been paid. The Government has never undertaken to reimburse the separate States for the bounty or extra pay or relief, which, for one reason or another, they saw fit to vote to their representatives in the civil war.

Mr. Speaker, I hold in my hand a list of the bounties which were paid in the various States. I will not read it. Pennsylvania paid bounties ranging from \$300 to \$484; New Jersey paid bounties ranging from \$525 to \$625. And so on down through the list. Those two States paid perhaps the largest bounties. Many millions of dollars were paid by the States in the form either of extra monthly pay or of bounty to their troops. For myself I see no essential distinction. If the State says to its recruit, "We will pay you \$100 bounty," it is exactly the same in effect and purpose as if it said, "We will pay you so much a month extra pay." The State of Massachusetts, I know, adopted both expedients. It paid bounties, and it paid extra monthly pay; and, as I said before, Massachusetts paid extra monthly pay to its volunteers in the late Spanish war. I do not know how many more of the States paid extra monthly pay; I know that some did.

Now, gentlemen, this is a large question. The \$70,000,000 appropriated by this bill sinks into insignificance compared with the amount of money which may be claimed from the United States Government under the provisions of the Senate resolution upon which the claim of the State of Nevada is alone based.

As I said before—and everyone will agree to it—California and Oregon are in every respect on all fours with the State of Nevada. Their claims, with that of the State of Nevada, amount to more than \$5,000,000. If we pay one we must pay all the others—at least, all the other Pacific slope claims. No one can dispute that; no one will deny it for a moment.

Mr. LOUD. They have always been treated together, have they not?

Mr. MOODY of Massachusetts. Up to this time, as the gentleman from California [Mr. LOUD] suggests, these claims have always been together; no one has ever suggested a distinction between the claim of one State and that of another, and no distinction can possibly exist. For one I am ready to accept the judgment of the House; but for one I say that if this claim is approved by the House I am ready to vote to pay the \$4,000,000 claimed by the State of California, and I am ready to pay the half a million dollars, more or less, claimed by the State of Oregon.

Then, Mr. Speaker, when that is done, what are we to say to our own constituents when they ask us as to this legislation, and when they suggest that we get the payment of our own State claims that originated exactly in the same manner? What is to be our response? We could of course respond, and truly, that the conditions upon the Pacific slope at that time were intensified; the pay of labor was somewhat higher than in the East; the cost of living was also somewhat higher. There was perhaps some more occasion for those States to pay extra compensation to the volunteers than on the part of other States throughout the Union. The greenbacks were the pay of the troops, and gold was the coin of the people. That is all that we can say in response to that inquiry.

Will the people accept such a statement as that as an excuse for such an expenditure? They will say, "Why, here, we were paying five and six dollars a day for labor in our factories. We were

paying I do not know how many dollars a barrel for flour used by our people. The same necessity that caused these States to tempt volunteer troops by extra pay existed also with us, although in less degree."

Mr. RAY of New York. Will the gentleman pardon an interruption just there?

Mr. MOODY of Massachusetts. Certainly.

Mr. RAY of New York, I understood the gentleman to make a statement a few moments ago to which I wish to call attention. He said, if I understood him, that if we paid this claim of the State of Nevada we were ready to pay the claims of the States of Oregon and California under similar conditions. I apprehend the gentleman means that we would be ready to pay the claims they make. He does not admit that we owe them anything, as I understand him.

Mr. MOODY of Massachusetts. Certainly not; I did not intend to create any such inference. No one claims this to be a legal obligation on the part of the Government, or that there is anything due to these States under any of the statutes which have heretofore been passed and which refer to the claims of the States for the payment of troops during the civil war. There are but two statutes bearing upon the subject—the statute of 1861 and the statute of 1882. Under the statute of 1861 it was so clear that Nevada had no claim against the Government for this service that no one thought of making it. Under the statute of 1882 the claim was made, but has been rejected, except as to the payment of some \$8,500, or about that sum, paid to Nevada in settlement of a claim which had been allowed.

But all I desired to say, I will state in response to the gentleman from New York, is that if Congress recognizes the justice of this claim of the State of Nevada, there is no escape from the conclusion that Oregon and California are equally entitled to payment, and their claim must be equally just, because they stand on the same footing.

Mr. PAYNE. Will the gentleman from Massachusetts permit me? As he is aware, in every county and municipality throughout the North large bounties were paid to the soldiers during the war. Now, is the gentleman able to distinguish the claims on the part of counties and towns that paid bounties from the claims of the State itself?

Mr. MOODY of Massachusetts. I am, of course, unable to do so; and further, I will say to the gentleman from New York that in my State, I believe, but am not sure, that the bounties paid by the cities and towns were finally assumed by the State; and so the bounties became practically a payment on the part of the State. I do not doubt that it is the case in other States as well.

Mr. NEWLANDS. The gentleman will remember that under the act of 1882 the claims of Nevada could not be considered, because these claims arise out of the civil war, whilst the act of 1882 was construed to apply only to Indian hostilities; therefore there was a clear distinction, which the gentleman seems to have lost sight of.

Mr. MOODY of Massachusetts. I do not think so. I do not so understand that section. I do not know upon what ground the claims were rejected. Undoubtedly the act did apply to Indian hostilities; but Nevada troops were engaged in suppressing Indian hostilities and were not brought face to face with the Confederates.

Mr. NEWLANDS. That was the whole ground for the rejection of Nevada's claim.

Mr. MOODY of Massachusetts. The gentleman from Nevada may be right in that. I do not know the ground for the rejection. The gentleman from Nevada will agree with me, I am sure, that the only foundation for the claim at all rests in the Senate resolution.

"For bounty, extra pay, and relief" to the volunteers. Now, this is a new question. No one can pretend for a moment that the Government has ever paid any claim of this kind before to any State. If we do it now, we do it for the first time. We do it on account of the special equities which, I do not deny, exist in the case of Nevada, and we do it at great danger of claims which will mount up to uncounted millions.

Mr. Speaker, the committee on conference did not feel that they ought to allow a claim of this size or a claim of this significance without intelligent action by the House. We shall bow gracefully in spirit, as of course we must in letter, to any action which the House takes upon the claim. We have discharged our duty. We have studied this claim as best we could in the limited time that was allowed us. We have stated it fully and frankly, and I believe that both sides of it have been fairly presented to this House. If the House agrees to the motion of the gentleman from Nevada and concurs in the Senate amendment, that ends the bill. If the House does otherwise and supports the motion of the gentleman from Illinois [Mr. CANNON], I have no doubt that the Senate will recede upon this matter. Of that we can not speak with

certainty, but we have every reason to believe that that must be the case. Now we submit this to the candid judgment of the House.

I reserve the remainder of my time.

Mr. CANNON. I yield to the gentleman from Nevada [Mr. NEWLANDS] thirty minutes.

Mr. NEWLANDS. Mr. Speaker, I wish to say by way of preliminary, in reply to the charge of the gentleman from Massachusetts [Mr. Moody] that this bill is thrust upon the House prematurely and without sufficient consideration, that this very claim was reported favorably in the Fiftieth Congress by the Senate Committee on Military Affairs and passed the Senate; that it was also in that Congress favorably reported from the Committee on War Claims of the House; that in the Fifty-first Congress it was reported by the Committee on Military Affairs and passed the Senate in a general deficiency bill, being stricken out in conference; that in that Congress also a favorable report was made by the Committee on War Claims of the House; that in the Fifty-second Congress a favorable report was made by Mr. DAVIS of Minnesota, from the Committee on Military Affairs, and a favorable report was also made in the House; that in the Fifty-third Congress the bill was again favorably reported by Mr. DAVIS of Minnesota, chairman of the Senate Committee on Military Affairs, and again in the House favorably reported by the Committee on War Claims; that in the Fifty-fourth Congress the bill was favorably reported to the Senate and also to the House, and that in the Fifty-fifth Congress the bill was reported favorably both in the Senate and in the House, and in the Senate was added to the omnibus claims bill aggregating a million dollars, which passed the House and went to the Senate, where about \$8,000,000 of claims were added—claims which were collected together under a resolution of the Senate requesting the Committee on Claims to get together those claims of unquestioned equity and justice which had been repeatedly recognized by the Senate, and to put them into one bill in order to avoid the practice of forcing them upon general appropriation bills.

You will all remember that the conferees of the House went into that conference with their hands tied. They had succeeded in obtaining consideration in the House for the bill allowing \$1,000,000 of claims under the Bowman Act, by giving the assurance that in conference they would allow nothing to be added to the bill. In the Senate, after a long conference, almost all the Senate amendments were stricken out; but with reference to the Nevada claim a provision was inserted referring the entire claim to the Secretary of the Treasury for a statement as to the amount due and the deductions to be made, and a report has been presented to Congress in accordance with the provisions of the omnibus bill, stating the account, making the amount due \$460,000.

After this long delay the Senate, by unanimous vote, have put this bill upon the sundry civil bill, and the objection is now raised that it has not had sufficient consideration. I wish to say also, by way of explanation, that during almost the entire period of my service in the House of Representatives, with the exception of the last year or two, the condition of the Treasury has been that of a deficit, and it was impossible for me, during that period of depression and deficit, to obtain consideration for this bill before the House.

Now, I address myself to the justice and the equity of the claim itself, and that involves some consideration of the condition which existed when the payments were made upon which this claim is based.

We were engaged in the civil war. That war had been protracted for three years. All the energies of the Republic had been summoned for a final struggle. The United States had throughout that entire intermountain and Pacific coast region 18,000 regular troops engaged in keeping open the overland mail route, in protecting the immigrant routes, and in maintaining a sufficient show of force to prevent the Indian uprisings which had been so frequent prior to that time, and which were so serious subsequent to the war.

Those troops were needed at the front. Pursuing the ordinary course, it would have been necessary for the Government to have enlisted troops in the East and sent them to the West. That would have involved an expenditure of \$200 and probably \$300 for every man of the 1,100 troops furnished by the State of Nevada. The transportation and subsistence alone upon the road would have amounted pretty nearly to the entire amount of this claim.

An appeal to the patriotism of the people of that region was made. Nevada was a struggling Territory sparsely peopled. A requisition was made upon her for 1,100 men. It was a period of time when the gold excitement had broken out and the Comstock was aflame. Men were obtaining the high rates of wages that prevailed recently in the Klondike—from \$5 to \$10 a day. There were conditions of exceptional difficulty. This report to which the gentleman has alluded, and which sifts every item in this claim, contains the correspondence of the time and shows that serious difficulties were confronting the Government.

As showing how grave the apprehensions of the commanding officers were and how anxious they were to secure the full cooperation of the people of those States in the national defense, one of the officers reported that owing to the high wages it was almost impossible to obtain enlistments, and that from one company, I believe, there had been 50 desertions of men who wished to go to the mines. In Oregon, in a single company, if my recollection is right, there were 50 desertions. Then what was the condition in reference to the Federal currency in which the pay of the soldiers was made? It was at a discount of from 40 to 50 per cent.

That region was entirely upon a coin basis—gold and silver; so that the soldiers' pay, being \$13 a month, which he had to exchange into gold, yielded him only \$8 a month; and a dollar of gold had not the purchasing power of a dollar in greenbacks in the East, owing to the high cost of everything that entered into consumption. The rate of transportation for goods from San Francisco to Nevada was from 2 to 6 cents a pound. The rate of living was high; the expenses of living were great.

Now, had the Federal Government recognized that condition of things in the past? Yes. Uniformly from the time of the gold excitement in California up to the early years of the civil war it had been the custom to pay the Federal troops on that coast double pay, and to pay each officer \$80 per month in addition. The condition which demanded that continued to exist, but for some reason, or through inadvertence, the law authorizing it was repealed in the early years of the war, so that the troops had to receive \$13 in currency, worth \$8 in gold, and it was necessary to change the currency into gold in order to make any use of it.

Mr. LIVINGSTON. Will the gentleman permit me to ask him a question?

Mr. NEWLANDS. Certainly.

Mr. LIVINGSTON. What was the number of troops engaged?

Mr. NEWLANDS. From Nevada, 1,100.

Mr. LIVINGSTON. That amount would be about how much per soldier?

Mr. NEWLANDS. About \$400 per soldier; and the cost of transportation from New York would be nearly that amount.

Mr. LIVINGSTON. How much per capita would it be to that State for her soldiers? Have you estimated it?

Mr. MOODY of Massachusetts. It is a little over \$4,000.

Mr. NEWLANDS. A little over \$400.

Mr. LIVINGSTON. A little over \$4,000.

Mr. NEWLANDS. Four hundred and sixty-two thousand dollars. Divide that by 1,100 makes about \$400 per man, and not \$4,000 a man.

Mr. PAYNE. Four times 11 makes 44. [Laughter.]

Mr. STEELE. And the transportation would have cost at that time nearly \$1,000 for the soldiers to march from New York, as they would have had to march.

Mr. NEWLANDS. And the gentleman from Indiana says that the cost of transportation to the West would have been \$1,000.

Mr. STEELE. Nearly \$1,000.

Mr. NEWLANDS. Now, you will find in this voluminous correspondence here that the general commanding the United States forces called upon Nevada to make some addition to the pay so as to equalize it with Eastern pay, not in the way of bounty, not in the way of inducement to enlist, but simply as a just equalization of the pay of the soldiers of the East and soldiers of the West, so that each should secure approximately the same amount of pay.

And what did Nevada do? This little Territory of Nevada, without funds in its treasury, borrowed \$100,000, and later other sums, passed a law giving its men \$5 extra per month in gold, which made their total pay \$13 a month in gold, hardly equal to the \$13 in greenbacks paid in the East. The Territory incurred that debt, and Nevada, the subsequently organized State, upon which the burdens of statehood were forced by the Federal Government, a State which was invited into the Union by Congress for the purpose of aiding in passing the thirteenth and fourteenth amendments and in the great work of reconstruction, assumed that debt in the expectation that the Federal Government would reimburse it. This claim is for the moneys actually paid and the interest actually paid during that period.

I may say here that the present debt of Nevada is \$100,000. It has labored under the burden of that debt, every dollar of it, or nearly every dollar of it, having its source in this requisition upon the Territory for troops and in its patriotic response.

The State of Nevada, unequal at the start to the burdens of statehood, suffering now under the most severe depression resulting from the prostration of its great mining industries, for it is the greatest silver-mining region in the world, is to-day finding it difficult to raise sufficient money by taxation to pay the expenses of the government, and has been compelled to borrow from its school funds for that purpose. And yet over \$400,000 is in honor, justice, and equity due to it from the Federal Government, the power that persuaded it into statehood and to assume these extraordinary burdens.

Mr. THROPP. What was the population of Nevada at the time of the war?

Mr. NEWLANDS. I imagine about the same as it is now, perhaps a little more. Later on the population increased. We had at one time two mining camps, each one of which had 20,000 people. One of those camps has to-day 300 people, and the other one about 4,000 people, so you can judge of the depression under which the State has suffered.

Mr. THROPP. I understand it was about 75,000. What was the total complement of troops Nevada furnished?

Mr. NEWLANDS. About 1,100.

Mr. THROPP. Chicago had 168,000 population and furnished 28,000 troops. I do not think Nevada furnished so much patriotism in comparison with some other States.

Mr. NEWLANDS. Nevada responded to every demand that was made upon her, and you must recollect that it was a Territory then and not a State.

Mr. SHAFROTH. Does the gentleman from Pennsylvania say that Chicago had 78,000 population and furnished 28,000 troops?

Mr. THROPP. I said 168,000 and furnished altogether 28,000 troops.

Mr. NEWLANDS. I think the gentleman is mistaken in his figures.

Now, going back to the history of the legislation upon this subject, the gentleman says this claim was disallowed under the act of 1861. Eight thousand dollars was allowed the State of Nevada, which has been credited on this account. Later on the act of 1882 was passed, which enumerated a number of States—Texas, Oregon, California, Nevada, the Territory of Washington and others—most of which, I believe, have since been settled with, which gave the Secretary of War and the Secretary of the Treasury the power to settle with States that had incurred expenditures in repelling invasion and in Indian hostilities.

Now, it was thought that these words "repelling invasion" would cover the expenditures of the State of Nevada in the civil war; and when the Senate committee proposed to take action on the matter and report a bill, a letter was received from Mr. Lincoln, Secretary of War, stating that this act was broad enough to cover any proper claim the State of Nevada had in suppressing the rebellion.

The board of war examiners was composed of three distinguished men of the Army, General Schwan, now serving in the Philippines; Maj. J. R. Dandy, and Capt. Frank Wise, of the infantry, and these three war examiners, who had examined all the other claims, looked into these claims and presented to the Congress this mass of testimony. What was their judgment? The judgment of two of the three was that the Nevada claim came within the purview of the act of 1882, thus coinciding with the opinion of Mr. Lincoln.

The opinion of the minority was that the act of 1882 only covered expenses incurred in Indian hostilities and not in the civil war. The matter went to the new Secretary of War, Mr. Endicott, successor of Mr. Lincoln, and he decided that the claim did not come within the purview of the act of 1882. There was no conclusion, and there never has been a conclusion, against the justice and equity of the claim. On the contrary, that board of war examiners testified in the most unequivocal terms to the justice of the claim. I will read but a sentence of that report:

On the whole, therefore, we are decided in the conviction that in granting them—

That is, these Nevada soldiers—

this extra compensation the legislature was mainly instigated by a desire to do a plain act of justice to the United States volunteers raised in the State and performing an arduous frontier service by placing them on the same footing—

Not by giving bounties, but—

by placing them on the same footing as regards compensation with the great mass of officers and soldiers of the United States Army serving east of the Rocky Mountains.

They say also:

When measured by the current prices of the country in which they were serving, their compensation from all sources did not exceed, if, indeed, it was equal to the value of the money received as pay by the troops stationed elsewhere, outside of the Department of the Pacific.

So that we have here the favorable judgment of the three war examiners, experienced in the investigation of claims of the various States, certifying to the justice and equity of these claims, but unable to authorize their payment because they had not the sanction of law.

So Congress—the State having prior to that time pursued these claims in the Department—sought to legislate on this subject; and the result has been that four bills have passed the Senate approving this claim, and four or five reports have been made to this House approving it. These reports were made by various men—men of distinguished ability. If you will only read the reports of debate in the Senate, you will find there the sanction given to these claims by distinguished men of the Eastern and

Middle States, by a distinguished statesman and general, General HAWLEY of Connecticut, the latter stating in the Senate that this claim was "as honest as a debt for bread."

We have recently passed through the Spanish war. The provisions of the act of 1861 with reference to the expenditures made by the various States in equipping and enlisting troops were again enacted into law, so as to cover the Spanish war. Some of the States called out their militia. The laws of some States require that the militia when called out should be paid \$2 a day. In some other States the pay was \$1 a day. The question came up before the examiners under that act as to what rule should be followed—whether they should allow the militia who were mustered in \$13 a month, the pay of a regular soldier, or the \$2 a day paid by some States or the \$1 a day paid by others. The determination was that the rule should be uniform; so a uniform allowance of \$1 a day was made from the day of calling out to the day of mustering in to every militiaman who had been mustered in. Think of it! Thirty dollars a month! The amount that has been paid in the Spanish war, and it is a just and proper allowance, would more than treble the amount of Nevada's claim.

The language of the act of 1861 was broad enough to cover Nevada's claim; but it had been whittled down by the Treasury Department construction in such a way as to absolutely deny justice. Congress is now called upon in the light of experience and in the light of history to do an act of justice to this State; and I ask whether you can do anything less than you have done for the volunteers in the late Spanish war upon claims made by the States against the General Government.

The gentleman from Massachusetts seemed to intimate that there were other States that paid extra pay. That is true of California and Oregon. I believe it is true of the gentleman's own State. But it is not true of other States, so far as I know. No claims have been filed, but the claims of the various States have been settled in sums ranging from \$500,000 to \$3,000,000.

All the claims of the various States have been presented and have been settled. I do not understand why there is any contention anywhere on this question. Recollect that the distinction between this case and the case to which the gentleman has alluded is that this is not a case of bounty; it is a case of equalizing—or giving the Western soldier as much as the Eastern soldier; and whatever instructions there may be in the Senate resolution regarding reports as to bounty, this claim has nothing of the meaning or significance of "a bounty."

I do not suppose for a moment that the gentleman from Massachusetts would have taken ground against the justice or equity of this case if isolated from all other cases. I know his fairness of mind. I know that as a matter of first impression his disposition would be to allow this claim to be paid. But his imagination conjures a flood of claims that would be likely to be thrown upon the Federal Treasury if this claim be allowed. Specters and ghosts are summoned to alarm the House. When we analyze the matter there is no practical difficulty at all. Few, if any, of the States made payments of bounties. The bounties as a rule were paid in some cases by the municipalities; in many cases by individuals themselves in procuring substitutes.

There is a great difference between bounty paid in order to escape a public duty and a just recognition of the value of a service; and that is all that this provision is—a just and equitable recognition of the value of a service on that coast, measuring it by exactly the same standard as the service of a man in the East, and seeing to it that the purchasing power of the monthly pay of the man in the West equals the purchasing power of the pay of a soldier in the East.

Now, gentlemen, we have this bill before us. In the brief time accorded me I have shown you that the State of Nevada, having assumed the obligations of the Territory of Nevada—obligations arising entirely out of the equipment and maintaining of the troops of the United States in the national defense, an obligation of the Federal Government, not of the State or Territorial government—has been persistent in urging this claim before the Departments and before Congress; that there never has been an adverse report upon the merits or the justice of the claim anywhere; but, on the contrary, we have the assertion of distinguished and experienced officers of the Army that the claim is just and equitable. This measure has had five favorable reports in the Senate coming from the Committees on Claims as well as Military Affairs of that body, and four in the House in successive Congresses, as well as the sanction of legislation in the shape of a bill which was passed four times in the Senate and the action of both Houses in the omnibus appropriation bill referring it to the Secretary of the Treasury for a statement of account. And, Mr. Speaker, it is high time that it should be paid, and the proper place for its consideration and payment is certainly in one of the general appropriation bills. I regard the action of both Houses of Congress in referring the claim for an accounting to the Secretary of the Treasury, and his statement that the account shows an unsettled expenditure of \$162,000, as practically the auditing

of the same and warranting its place in the general appropriation bill.

The SPEAKER. The time of the gentleman has expired.

Mr. CANNON. I will yield to the gentleman five minutes more if he so desires.

Mr. NEWLANDS. I would be very glad to have a little extension of time.

Mr. LITTLEFIELD. I would like to ask the gentleman from Nevada a question before he proceeds.

Mr. NEWLANDS. Certainly.

Mr. LITTLEFIELD. My inquiry is as to whether or not this is a claim of new impressions, or whether it has precedent and stands on all fours with preceding claims of like character? Do I make it clear?

Mr. NEWLANDS. Certainly; I understand the gentleman. It has precedent, and is in the direct line of the action of the Federal Government for over twenty years in giving troops on the Pacific coast double pay.

Mr. LITTLEFIELD. But is it a new impression, so far as Congress is concerned, in reimbursing a State or Territory for expenses of this character?

Mr. NEWLANDS. I will say in response to the gentleman that numerous States have already received settlement of their claims arising from the war of the rebellion in sums ranging from four hundred thousand to two millions of dollars.

Mr. LITTLEFIELD. Well, I mean of this particular character?

Mr. NEWLANDS. Not to my knowledge of this exact, particular kind of claim, because the conditions are peculiar and different on the Pacific coast from those which prevailed East. The conditions there required this equalization of pay, and that condition had been recognized by the Federal Government for years prior to the civil war, a condition which did not confine the soldiers to the ordinary \$13 a month paid generally, but allowed them \$26 a month, or just double that sum.

Mr. WILSON of Idaho. And the gentleman from Nevada might also suggest that the Federal Government has paid its civil officers there double salaries, such as marshals, deputy marshals, and officers of that kind, who were engaged in the business of the Federal Government in that region.

Mr. NEWLANDS. That is entirely correct. The Federal officials received double pay.

Mr. WILSON of Idaho. And also received double mileage.

Mr. NEWLANDS. And also received double mileage. I thank my friend for the suggestion.

Now, Mr. Speaker, I trust that gentlemen on the floor of the House, and especially the members of the Committee on Appropriations, will not take advantage of a mere technicality and throw out a claim which has such merit as this. I ask, as a matter of justice, as a matter of right, and as a matter of equity, that gentlemen will not interpose this technical objection to the claim, but will consider the case upon its merits and allow this claim, which will relieve Nevada, depressed and prostrate as she is, from the burden of a debt incurred in equipping and maintaining the Federal troops and in maintaining the national defense. Nevada needs this aid in her advance toward a condition of material and deserved prosperity. [Applause.]

[Here the hammer fell.]

Mr. RICHARDSON. I hope the gentleman from Illinois will yield to me for a few minutes.

Mr. CANNON. I will yield to the gentleman from Tennessee five minutes, if that will be sufficient.

Mr. RICHARDSON. Mr. Speaker, I became familiar with this claim during the last Congress because of the fact that I was placed on the conference committee on what is called the omnibus war claims bill, upon which the Senate had placed the claim after the bill passed the House and went to that body. As one of the conferees of the House it was my duty to consider and investigate the claim with much care. I became thoroughly satisfied that the claim of the State of Nevada was just and honest and that it should be paid.

It was stricken from that omnibus war-claim bill not because the conferees believed it was unjust and that it should not be paid, but because it was not of the class of claims provided for in that bill.

Mr. LOUD. Might I ask the gentleman what were the character of claims that were provided for in that omnibus bill? If it did not take in everything under God's heavens, I should like to know what character of claims were left out?

Mr. RICHARDSON. It took in, in the first place, the claims which had been favorably found by the Court of Claims under the Bowman and Tucker acts. Next, the Senate placed upon it the French spoliation claims, and the bill, as it became a law, carried appropriations mainly for those two classes of claims. Now, the Senator from Nevada was one of the conferees of the Senate. I shall not divulge conference secrets. The Senator from Colorado [Mr. TELLER] was another member of the conference committee, and the Senator from Florida, Mr. Pasco, was another.

Mr. Speaker, this claim was placed upon that bill and was in conference. The House conferees were maintaining that nothing should go upon that bill except the war claims and the French spoliation claims, and in a patriotic spirit the conferees on the part of the Senate yielded this claim. I say it was patriotic in them to do so, because one of the conferees was the distinguished Senator from Nevada [Mr. STEWART], who believed the claim was just and that it should be paid.

Mr. LOUD. Will the gentleman yield?

Mr. RICHARDSON. I have only five minutes, and the gentleman can get time in his own right.

Mr. LOUD. The gentleman says there was nothing on the omnibus bill but war claims—

Mr. RICHARDSON. I did not say that. I said it was made up mainly of war claims and French spoliation claims. I am not going into that. That is true, and the gentleman knows it.

Now, while we struck this claim from that bill, we again referred it to the Secretary of the Treasury, and his report is here, and it shows that there is due the State of Nevada the sum appropriated for in this act, \$462,000.

Mr. Speaker, the gentleman from Massachusetts [Mr. MOODY] says this claim ought not to be paid hurriedly, here in the closing hours of this Congress, but that it should be investigated. It has been investigated, as the gentleman from Nevada has stated. It has passed the Senate four or five times. It has been knocking at the door of Congress, like many other just claims, for thirty or forty years. The Senate has passed it four or five times. The House committees have reported it four or five times, and each time when it gets into conference it is dropped. At one time it was on the general deficiency bill instead of the sundry civil, as it is now.

The gentleman from Texas, Mr. Sayers, whom we all love and delight to honor, was a member of that conference committee. The Nevada claim was dropped in that conference, while the Texas claim was paid, and I have no doubt justly and properly paid. But there are a number of these claims, Mr. Speaker, and they are all about alike, so far as their justice is concerned. This claim arose when Nevada was a Territory. When Nevada was admitted into the Union the State assumed it. I am rather of the opinion that the Government of the United States should have paid it at that time. But the Government did not do it, and the State assumed it and it has been pending ever since. The gentleman says we must not consider and pay it hurriedly. There is no danger of that. It has been pressing for payment for many years. There are two reports from the Treasury Department, one making a voluminous record, as was shown you by the gentleman from Massachusetts [Mr. MOODY] and the gentleman from Nevada [Mr. NEWLANDS], each item being passed on.

In conclusion, Mr. Speaker, I shall not go over the merits of the claim. They have been presented carefully by the gentleman from Nevada. It has been reported upon twice by the Treasury Department. It has passed the Senate as we have stated, it has been found favorably by the committees of the House, and it does seem to me that, inasmuch as nearly all of the claims have been paid except this one, we ought to get clear of it.

The gentleman from Massachusetts [Mr. MOODY] says the California claim and the Oregon claim will each demand payment if this claim is paid. Then we have got them down to three claims, it seems. The others have all passed off the stage; and it seems to me now that if we get rid of this one, we will be in a condition probably in the next Congress to get rid of one more, and possibly all of them.

I think it is no argument against the justice and merits of this claim to say that California has a claim. California has a claim, and I have no doubt it will be energetically pressed at the proper time. Oregon, I have no doubt, will be found in the same category. But it certainly ought not to be insisted against the payment of this claim that there is one due California and another due the State of Oregon. The gentleman says they are not exactly like this. I venture to say if they are as meritorious as this one, they will be paid some day, and ought to be paid.

[Here the hammer fell.]

Mr. SHAFROTH. Will the gentleman from Massachusetts yield to me two minutes?

Mr. MOODY of Massachusetts. Is the gentleman in opposition to the claim?

Mr. SHAFROTH. I am in favor of it.

Mr. MOODY of Massachusetts. Then the gentleman should get his time from the gentleman from Illinois [Mr. CANNON].

Mr. CANNON. I am anxious for a vote, but I will yield to the gentleman two minutes.

Mr. SHAFROTH. Mr. Speaker, as I understand this bill, it provides for the reimbursement of the State of Nevada for moneys which it expended in the cause of the Union in 1865. Mr. Speaker, the amount which was saved to the National Government by reason of these expenditures upon the part of Nevada more than doubled the amount now claimed upon the part of Nevada. As the

gentleman from Indiana a few moments ago indicated, to have sent soldiers from the Eastern States to Nevada would have involved an expenditure on the part of the National Government of at least \$2,000 a soldier, whereas the total amount that was expended by the State of Nevada, including the interest which that State has been compelled to pay from year to year upon that sum, amounts only to four hundred and a few dollars for each soldier. If such a contingency were to arise now, and the State of Nevada should do the same thing over, it would be money in the pocket of the National Government to reimburse the State and not send the soldiers such a distance; and in justice and in fairness to this State, which contracted a State debt for the purpose of paying the soldiers and has been paying money out of its treasury in the way of interest ever since, it seems to me this amendment ought to be adopted.

Mr. MOODY of Massachusetts. Mr. Speaker, I ask the attention of the House, and I promise members that I will use but a very few moments. I am pleased that in my original statement of this controversy I stated everything in favor of the claim of the State of Nevada. I have listened with care to the gentleman from Nevada, and he has advanced no argument in favor of the claim which I did not state to the House, with one exception, and I will come to that in a moment. The gentleman from Nevada said with frankness, and with entire accuracy and truth, that there was no instance of any claim paid on account of the same subject-matter, while the gentleman from Tennessee, without the same knowledge upon the subject, says that this is one of a lot of claims that have been cleared up, and this ought to be. Now, if the gentleman was right about the matter, I should be in favor of paying this claim, decidedly in favor of paying it; if the gentleman from Nevada is right and I am right about it, this sets a precedent for paying all the States that paid extra pay to their volunteers, a thing which has never been done before.

The gentleman from Nevada said one thing to which I did not allude; the gentleman from Tennessee said the same thing; and I want to call the attention of the House to it. He said in the omnibus bill there was ascertained the amount "due the State of Nevada," or "the debt to the State of Nevada." There was nothing of the kind. There was a direction in that bill to report to Congress the amount furnished by the State of Nevada in aiding to suppress the rebellion and the interest thereon. There was no question of "what was due or what was not due." There has never been any adjudication anywhere of the justice or equity of these claims. There simply have been made references to the claims. Now, what did the Secretary of the Treasury do about that? He simply wrote a letter, which occupies a part of a printed page, in which he referred to the report under the act of 1882 and computed the interest down to the present time. That is all the auditing that was done under the provisions of the omnibus bill. Nevada paid \$110,000 originally, and that, with the interest, makes \$162,000.

The question now is, Will you begin for the first time to refund to the States the extra pay they gave to their volunteers?

Mr. NEWLANDS. Will you simply add to that statement that the claim for interest is only for interest actually paid?

Mr. MOODY of Massachusetts. The interest actually paid by the State. Now, one single word more, and I am done. The gentleman from Nevada said my first impression was in favor of this claim. So it was. As I understood it at first, I thought it ought to be paid. The gentleman from California [Mr. LOUD] made a speech on this subject at the last session of Congress which I want this House to hear. It refers to just the state of mind that I was in during the various stages of investigation. First I thought the claim ought to be paid; then I knew it ought not to be paid unless we were ready to set a dangerous precedent.

Gentlemen will remember that while the State of Nevada has a claim of \$400,000, the State of California has a claim of \$4,000,000 of the same kind, standing on all fours, and that is agreed. Now, I ask the House to listen to what the gentleman from California said about this claim, his own State included, only March of last year; and I call for order, Mr. Speaker, while this speech is read.

Mr. NEWLANDS. Does the gentleman claim that the gentleman from California has the right to give away the claim of Nevada?

Mr. MOODY of Massachusetts. I think the judgment of the gentleman from California is always good; and when I find he has investigated a claim of \$4,000,000 of his own State and says it ought not to be paid, his statement is doubly entitled to the attention of the House; and therefore I ask the House to give it attention.

The Clerk read as follows:

Now, I want to say one word about the claims of the State of California. When this bill went into conference, I took occasion to repeat on this floor what had been repeated for many years and what I, without investigation, had accepted as a fact. You remember I held this claim up some time before permitting it to go into conference. My own State had in that bill claims amounting to nearly \$4,000,000. It is a great temptation to the average member of Congress, Mr. Speaker, to see a claim of his own State or his own com-

munity amounting to \$4,000,000 included in a bill. There was an agreement, as I stated at that time, that those claims never should be passed upon favorably by the conferees. I made at that time the charge that there was a compact. Believing then that those claims were just, I took occasion to say that every State in the Union had been paid for similar claims, and I immediately proceeded to investigate the record in this case, covering hundreds and hundreds of pages, mostly now, to fortify myself to support these claims upon the floor of the House.

The further I went into the investigation of these claims, the more I was convinced, step by step, that they never had even equity before Congress. It may require some courage to say this with regard to the claims of a man's own State, but the claims of the State of California, the State of Oregon, and the State of Nevada, standing upon exactly the same plane, are simply claims for bounty; and there has not been a single State in the Union so far that has been reimbursed for the extra pay or bounty given to troops.

Mr. MOODY of Massachusetts. Now, Mr. Speaker, that is true, and the concluding words of the gentleman from California are true. There has never been a single State paid any one of these claims. Millions and millions of dollars were paid by the States. Are you ready to begin now to pay one State a claim of that kind?

Mr. NEWLANDS. May I ask the gentleman from Illinois for a few moments?

Mr. CANNON. I can not yield, except very briefly. I will yield to the gentleman.

Mr. NEWLANDS. Does the gentleman wish to speak first?

Mr. CANNON. No; how much time does the gentleman want—two minutes? I want to close this debate. I will yield to the gentleman two minutes.

Mr. NEWLANDS. Mr. Speaker, in the closing remarks of the gentleman from Massachusetts [Mr. MOODY] he refers to a speech made by the gentleman from California [Mr. LOUD] on a previous occasion. I should have been glad if the gentleman from California had confined his remarks to the claims of his own State, but he seems to have included every other State in his denunciation. It will be observed that the gentleman from California claims what I concede are the facts. I know that no claim has yet been allowed to any State for bounty paid its soldiers.

Mr. MOODY of Massachusetts. Or extra pay.

Mr. NEWLANDS. Or extra pay. If any such has been made, I have no knowledge of any. I believe the bounties were paid by individuals and municipalities, and not by the States.

I wish to call the attention of the distinguished gentleman to the fact that it is not a bounty. The claim is not made for it as a bounty. It is termed extra pay, but it is simply equalization of pay. It simply recognizes the equity which the Government has recognized from the time gold was discovered in California—simply continues the exercise of the Government's recognition of that equity a few years longer than the statute itself authorizes it. It simply extends the operation of that statute. It is equity and justice, and was recognized and paid the men of Nevada on that basis. She was without easy communication, and it was under the persuasion of the Federal officer, the general commanding, that she paid these moneys with the expectation of reimbursement, and she made it simply for the purpose of equalizing, and not for the purposes of a bounty. Now, I ask that the Clerk read the following extract which I send to the desk.

The SPEAKER. The time of the gentleman from Nevada has expired.

Mr. CANNON. I will yield the gentleman time enough to have his extract read.

Mr. NEWLANDS. This is from the report of the three distinguished officers of the Army who acted as a board of war examiners.

The Clerk read as follows:

EXTRA MONTHLY PAY—LIABILITIES ASSUMED.

The circumstances and exigencies under which the Nevada legislature allowed this extra compensation to its citizens serving as volunteers in the United States Army are believed to have been substantially the same as those that impelled the legislatures of California and Oregon to a similar course of action for the relief of the contingent of troops raised in each of these States. Prices of commodities of every kind were extravagantly high during the war period in Nevada, which depended for the transportation of its supplies upon wagon roads across mountain ranges that were impassable for six months of every year; and at certain times at least during the said period the rich yields of newly opened mines produced an extraordinary demand for labor, largely increasing wages and salaries. These high prices of commodities and services were coexistent with, though in their causes independent of, the depreciation of the Treasury notes, which did not pass current in that section of the country, though accepted through necessity by the troops serving there; and it is safe to say that in Nevada, as in California and Oregon, the soldier could buy no more with a gold dollar than could the soldier serving in the Eastern States with the greenback or paper dollar.

On the whole, therefore, we are decided in the conviction that in granting them this extra compensation the legislature was mainly instigated by a desire to do a plain act of justice to the United States volunteers raised in the State and performing an arduous frontier service, by placing them on the same footing, as regards compensation, with the great mass of the officers and soldiers of the United States Army serving east of the Rocky Mountains. It is true that the seven companies of infantry that were called for on October 19, 1864, had not been organized; and that on March 8, 1865, three days before the approval of the State law above noticed, the commanding general, Department of the Pacific, wrote as follows from his headquarters at San Francisco to the governor of Nevada (see page 237, Senate Ex. Doc. 70, Fiftieth Congress, second session):

"What progress is making in recruiting the Nevada volunteers? I will need them for the protection of the State, and trust that you may meet with

success in your efforts to raise them. I hope the legislature may assist you by some such means as have been adopted by California and Oregon."

But the fact remains that the declared purpose of the monthly allowance was to give a compensation to the Nevada volunteers (see section 1 of the act last referred to), and that when measured by the current prices of the country in which they were serving their compensation from all sources did not exceed, if, indeed, it was equal to, the value of the money received as pay by the troops stationed elsewhere, i. e., outside of the Department of the Pacific.

Mr. CANNON. Mr. Speaker, if the House will give me its attention two minutes, I will ask for a vote. This matter has been very fully discussed by the gentleman from Massachusetts [Mr. MOODY] and the gentleman from Nevada. If the House has paid attention, as I hope it has, it is in possession of the facts touching this amendment.

I have been compelled, not willingly, but I have been compelled to pay some attention to this matter. The Committee on Appropriations, of course, had no jurisdiction of it. The Committee on Claims, if it has any standing at all, has jurisdiction; but it is on this bill, which carries \$65,000,000 for the whole public service, in pursuance of law. It is on this bill, and this bill can not pass until it goes off the bill or until the House concurs. Either the House must recede and adopt this, or, if the House refuses, then the Senate must recede from its amendments before the bill can pass; and the bill must pass.

Now, then, I am speaking of the sundry civil bill. I think, however, that if the House insists on its disagreement there is nothing left for the Senate except to recede from its amendment, because, under the usages between the two bodies, that body which proposes something in the shape of legislation, or something which is not authorized by law, always recedes if the other body refuses to accept it. So I can dismiss the parliamentary situation without further discussion.

Now, then, upon the right of this measure. If I determined it according to my sympathy, I would say, yes—a little State of 40,000 inhabitants, with its one Representative and its two Senators—it undoubtedly made this expenditure. At the same time, California, larger at that time and much larger now, made her expenditure of \$4,000,000. Little Oregon made her expenditure of half a million dollars. Larger Massachusetts made her expenditure, of how much I do not know, and she paid her soldiers from her State treasury, partially, if not quite as much as they received during the civil war from the United States Treasury. Nevada has not been paid, nor has California, nor has Massachusetts, nor has Illinois, nor any other State. My sympathies with this small State—small as to number of population—are such that perhaps if I could segregate this claim and then pass over all the similar claims to arise from every other State, amounting (I speak conservatively) to one thousand million dollars, I think I might vote for this half a million.

Mr. NEWLANDS. I ask the gentleman not to raise specters and hobgoblins to arouse the apprehensions of the House.

Mr. CANNON. I am not "raising specters."

Mr. NEWLANDS. You said "a thousand millions!" That simply shows the power of your imagination.

Mr. CANNON. Not at all. Let us see. The gentleman says, "Don't raise specters." It is my duty, if I can, to plant my feet as a legislator, proceeding with care, guided by truth and by wisdom, because I act here not only for Nevada, but for every other State and its inhabitants. I said a thousand millions of dollars of claims similar in principle; and now I want the gentleman's attention. This was an extra allowance—call it pay; call it bounty; call it relief; call it what you please—that was paid by Nevada. Now let us take Massachusetts; let us take Illinois. Massachusetts paid the same extra pay and called it pay. Many of the States paid bounties and called them bounties. Many of the States gave relief in many different ways—calling it this, that, and the other—all upon the same foundation in principle.

Now, I say you may add the bounties, you may add the extra pay, you may add the relief that these various States of the North contributed; you may count the interest on those expenditures as it is counted upon this claim; and I say again, speaking conservatively, that the amount would be over rather than under one thousand million dollars. Therefore, without raising specters, I want to tell the truth; and I want to say that if we owed this money—if we had ever made similar payments to any State or to anybody—if there were a legal obligation—then we ought to pay it, whether the amount be half a million or two thousand millions. But if we do not owe it, if every State in the North has been paid under the law every cent that it is entitled to, as it has been, then I do not see that we ought to make a precedent which will bring trooping here not only California and Oregon, but New York, and Illinois, and Massachusetts, and every other State, along the line of this precedent, knocking at the doors of the Treasury.

Mr. NEWLANDS. Can the gentleman refer to a single other State that allowed extra pay under similar conditions?

Mr. CANNON. Yes, sir; Massachusetts, as verified by the statement of the gentleman from Massachusetts [Mr. MOODY].

Mr. NEWLANDS. Can the gentleman refer me to any other State?

Mr. CANNON. California.

Mr. MOODY of Massachusetts. And Indiana.

Mr. NEWLANDS. Can the gentleman refer to another?

Mr. THROPP. Pennsylvania.

Mr. CANNON. Yes; Pennsylvania.

Mr. GARDNER of New Jersey. And New Jersey.

Mr. NEWLANDS. Those were bounties.

Mr. CANNON. Oh, no; extra pay. But it does not make any difference whether it was bounty or extra pay, or any other kind of relief—the principle, I say, is the same.

Now, as we can not dispose of this measure except by a vote of the House—as it can not be voted into a law except by a vote of the House—all I want is for the House to take an account of stock and see whether or not, with our eyes open, we can afford to make this precedent.

Mr. Speaker, I now ask for a vote.

The SPEAKER. The Chair will state the situation of this bill. All the disagreements upon amendments to this sundry civil bill have been settled except on amendment numbered 81, upon which the gentleman from Illinois [Mr. CANNON] moves that the House insist on its disagreement. The gentleman from Nevada [Mr. NEWLANDS] makes the motion of higher privilege that the House recede from its disagreement and concur in the amendment of the Senate. The vote will first be taken on the motion of the gentleman from Nevada.

The question having been put,

The SPEAKER said: The noes appear to have it.

Mr. NEWLANDS. I ask for the yeas and nays.

The question being taken, there were, in favor of ordering the yeas and nays, 32.

The SPEAKER. There has been no recent vote, and it will be necessary to count the other side. Those who are opposed to ordering the yeas and nays will rise and stand until counted.

Mr. NEWLANDS. I withdraw the call for the yeas and nays, and ask for a division.

The question being again taken, there were—aye 45, noes 97.

So the motion of Mr. NEWLANDS was rejected.

Mr. CANNON. I move that the House further insist on its disagreement to amendment numbered 81.

The motion was agreed to.

The SPEAKER. Does the gentleman ask for a further conference?

Mr. CANNON. No, sir.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. GILFREY, one of its clerks, announced that the Senate had passed without amendment joint resolution 269, making appropriation for payment of the salaries of certain officers in the district of Alaska for the fiscal year ending June 30, 1901, and for other purposes.

A further message from the Senate, by Mr. PLATT, one of its clerks, announced that the Senate had passed bills of the following titles; in which the concurrence of the House was requested:

S. 4869. An act providing for the retirement of certain officers of the Army;

S. 4607. An act to provide for the settlement of accounts between the United States and the State of South Carolina;

S. 4144. An act to provide for the purchase of a site and the erection of a public building thereon at Huntington, in the State of West Virginia;

S. 4044. An act to provide for the appointment of dental surgeons for service in the United States Army; and

S. 3565. An act to establish a quartermaster's depot at Omaha, Nebr., and for other purposes.

The message also announced that the Senate had passed without amendment bills of the following titles:

H. R. 1871. An act for the relief of E. B. Crozier, executrix of the last will of Dr. C. W. Crozier, of Tennessee; and

H. R. 7066. An act granting an increase of pension to Hiram C. Childress.

The message also announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 10308) to extend to certain publications the privileges of second-class mail matter as to admission to the mails.

POSTAGE ON SECOND-CLASS PUBLICATIONS, ETC.

Mr. GRIGGS. Mr. Speaker, I desire to submit at this time a conference report for immediate consideration.

The SPEAKER. If there be no objection, the statement of the House conferees will be read instead of the report.

There was no objection.

The statement was read, as follows:

The managers on the part of the House of the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 1608) admitting certain publications to the second-class rate of postage, submit the following statement in explanation of the effect of the action agreed upon in the accompanying conference report:

The Senate made two amendments to the bill, numbered 1 and 2, and by the action of the conference have receded on both of the same, leaving the bill in the same shape as passed originally by the House.

E. F. LOUD,
J. M. GRIGGS,
J. J. GARDNER,

Managers on the part of the House.

Mr. GRIGGS. Mr. Speaker, I move the adoption of the report. The motion was agreed to.

COLLECTION OF TAXES IN DISTRICT OF COLUMBIA.

The SPEAKER laid before the House the bill (H. R. 11326) to regulate the collection of taxes in the District of Columbia, with Senate amendments.

Mr. MUDD. Mr. Speaker, I ask unanimous consent to dispense with the reading of the Senate amendments, to nonconcur in the same, and ask for a conference on the disagreeing votes of the two Houses.

The motion was agreed to.

The SPEAKER announced as conferees on the part of the House Mr. MUDD, Mr. PEARRE, and Mr. LATIMER.

RELIEF OF CERTAIN INDIANS, INDIAN TERRITORY.

Mr. LACEY. Mr. Speaker, I ask unanimous consent for the present consideration of the bill which I send to the desk.

The SPEAKER. The title of the bill will be read.

The Clerk read as follows:

A bill (H. R. 8966) for the relief of certain Indians in the Indian Territory who desire to sell their lands and improvements, etc.

The Clerk proceeded to read the bill.

Mr. STEELE. Mr. Speaker, I think that this is too much of a bill, and too important, to pass by unanimous consent. I must object.

The SPEAKER. Objection is made.

DISPOSITION OF SPACE IN OLD LIBRARY, CAPITOL.

Mr. DALZELL. Mr. Speaker, I offer a privileged resolution for consideration at this time.

The SPEAKER. The resolution will be read.

The Clerk read as follows:

Resolved, That the Committee on Rules be, and is hereby, authorized to supervise, on behalf of the House, the changes to be made in the space here-to-be occupied by the Library of Congress in accordance with the terms of the joint resolution of the Senate No. 25.

The resolution was considered, and agreed to.

ALBERT SCOTT.

Mr. UNDERWOOD. Mr. Speaker, I ask unanimous consent for the present consideration of the resolution I send to the desk.

The SPEAKER. The resolution will be read.

The Clerk read as follows:

Resolved, That the Doorkeeper of the House be, and he is hereby, authorized to place the name of Albert Scott on the rolls of the House as a laborer, to be paid at the rate of \$50 per month from the contingent fund during the remainder of the Fifty-sixth Congress, subject to the jurisdiction of the Doorkeeper of the House.

There being no objection, the resolution was considered, and agreed to.

EUNICE TRIPLER.

Mr. CORLISS. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (S. 147) for the relief of Eunice Tripler, widow of Charles S. Tripler.

The SPEAKER. The bill will be read, subject to the right of objection.

The bill was read, as follows:

Be it enacted, etc. That there be paid to Mrs. Eunice Tripler, widow of Surg. Charles S. Tripler, United States Army, out of any money in the Treasury not otherwise appropriated, the sum of \$3,000, for services by the said Charles S. Tripler in his lifetime in preparing, superintending, and directing the publication of manual for the medical officers of the United States: *Provided*, That the payment of the above sum shall be a bar to any further claim against the Government for the use of the book herein referred to.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. SMITH of Kentucky. I wish to reserve the right to object until I can get some explanation of this bill.

Mr. CORLISS. Mr. Speaker, this is a bill providing compensation for services rendered by Dr. Tripler in his lifetime during the civil war. He furnished the Government a very valuable medical manual, which has been used for all time since, and was deprived of the right to procure a trade-mark or copyright for his publication, from which he could have derived a large sum of money. This compensation was recommended by General Grant during the lifetime of Dr. Tripler at \$10,000.

This bill has passed the Senate five times. It has been favorably reported to the House at least a half dozen times, and has been considered by various officers of the Army from the time of

the civil war to the present day. During the life of Dr. Tripler a bill for \$10,000 for his relief passed the Senate.

In consequence of his death his unfortunate widow was unable to present her claim. The Senator from Michigan who introduced this measure and who has secured its passage through the Senate three or four times without any opposition, has requested me to see that the House at last renders this tardy recognition to this widow of a soldier, a physician of great reputation, who gave his book and his life to the Government of the United States and never received any compensation for it. It is a just claim. It ought to be paid. It would have been paid years ago, and a very much larger sum would have been paid, had he lived. But his unfortunate widow to-day is dependent upon charity for her livelihood, notwithstanding the fact that her great husband, who was one of the leading physicians of our country, gave his ability, his genius, and his life to the service of his country.

Mr. PAYNE. What sort of a book was this?

Mr. CORLISS. A medical manual.

Mr. PAYNE. Was it copyrighted?

Mr. CORLISS. It was not, because he went into the service of the Government in the civil war and was so engaged when he prepared it. He neglected to copyright it until it was too late, it being actually used by the Government at the time.

Mr. PAYNE. Did he sell the book to the Government?

Mr. CORLISS. The Government took it and promised to pay him, but there was no authority for paying him, and when the civil war was over he came to Congress.

Mr. PAYNE. What evidence is there of that promise?

Mr. CORLISS. It is evidenced by the officers of the Army and the Surgeon-General at the time. There is a long communication here in the report, which I should be glad to have read, giving the views of the Surgeon-General of the Army.

Mr. LITTLEFIELD. What is the amount involved?

Mr. CORLISS. Only \$3,000, and it is a very just claim. It ought to be for a much larger amount. It is reported unanimously by both committees.

Mr. PAYNE. The Committee on Claims?

Mr. SHAFROTH. From what committee is this reported?

Mr. CORLISS. From the House Committee on Claims. It is unanimously reported.

Mr. SHAFROTH. Did I understand the gentleman to say the Committee on Claims or the Committee on War Claims?

Mr. CORLISS. By the Committee on Claims. It was reported by the gentleman from Illinois [Mr. BOUTELL].

Mr. BROMWELL. Mr. Speaker, I am informed that this bill is reported by the Committee on Claims. For three weeks I have been trying to get recognition for a bill on the Calendar from that committee. The Speaker of the House has declined to recognize me on the ground that that committee has a day in court, because it has a fixed day for the consideration of its bills. I shall not object to this bill being considered, because I think it may be a just bill, but I do claim that I ought to have recognition for my bill if this bill is recognized by the Speaker.

The SPEAKER. The gentleman from Ohio is entirely correct. There were two matters that were being pressed by the gentleman from Michigan [Mr. CORLISS], and the Chair was not aware that this was a claim from the Committee on Claims. The Chair will himself object, and must do so in justice to the House.

MARINE-HOSPITAL SERVICE.

Mr. CORLISS. Mr. Speaker, if I am entitled to one recognition, I ask unanimous consent for the present consideration of the other measure, which is not a claim—that is, Senate bill 4171, to amend an act granting additional quarantine powers and imposing additional duties upon the Marine-Hospital Service, approved February 15, 1893.

The SPEAKER. The gentleman from Michigan asks for the consideration, by unanimous consent, of a bill, which the Clerk will report.

The bill was read.

Mr. B'NGHAM. Mr. Speaker, that being general legislation I reserve the right to object.

The SPEAKER. The gentleman from Pennsylvania reserves the right to object while an explanation of the bill is made.

Mr. CORLISS. Mr. Speaker—

Mr. LENTZ. Unless we can have the Coeur d'Alene testimony printed, I shall object.

The SPEAKER. Objection is made by the gentleman from Ohio [Mr. LENTZ].

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PLATT, one of its clerks, announced that the Senate had passed the following resolution; in which the concurrence of the House was requested:

Senate concurrent resolution 80:

Resolved by the Senate (the House of Representatives concurring), That the Committee on Enrolled Bills be, and it is hereby, authorized and directed to insert the word "law" after the word "below," in line 28, page 11, of the enrolled bill entitled "An act making further provision for a civil government

for Alaska, and for other purposes," the same having been omitted in the enrollment of the bill.

The message also announced that the Senate had passed bill of the following title; in which the concurrence of the House was requested:

S. 4207. An act to increase the limit of cost for the purchase of a site and erection of a building thereon at Helena, Mont.

LOBSTER HATCHERY IN THE STATE OF MAINE.

Mr. GREENE of Massachusetts. Mr. Speaker, I ask unanimous consent for the present consideration of the bill H. R. 4910.

The Clerk read as follows:

A bill (H. R. 4910) to establish a lobster hatchery in the State of Maine.

Be it enacted, etc. That the United States Commissioner of Fish and Fisheries is hereby authorized and directed to construct and equip a lobster hatchery upon the coast of Maine, the cost of establishing the same, including the purchase of land and water rights, not to exceed the sum of \$10,000.

The SPEAKER. Is there objection?

Mr. LENTZ. Mr. Speaker, until we can have that Cœur d'Alene testimony printed, I shall object to the Government going into the lobster business. [Laughter.]

The SPEAKER. The gentleman from Ohio objects.

JOSEPH C. MCABE.

Mr. JOY. Mr. Speaker, I call up the following privileged report. The Clerk read as follows:

House resolution 280.

Resolved. That the Clerk of the House be, and he is hereby, authorized to pay, out of the contingent fund of the House, to Joseph C. McCabe, the sum of \$228.60, being the difference between the amount received by him and the rate of \$1,400 per annum as a clerk in the document room of the House, from December 4, 1899, to June 30, 1900.

The SPEAKER. The question is on agreeing to the resolution. The question was taken; and the resolution was agreed to.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. GILFREY, one of its clerks, announced that the Senate had insisted upon its amendments to the bill (H. R. 11326) to regulate the collection of taxes in the District of Columbia, disagreed to by the House of Representatives, had agreed to the conference asked by the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. McMILLAN, Mr. GALLINGER, and Mr. MARTIN as the conferees on the part of the Senate.

DIGEST OF DECISIONS AND PRECEDENTS.

Mr. TATE. Mr. Speaker, I am directed by the Committee on Printing to call up the following privileged resolution.

The SPEAKER. The gentleman from Georgia, from the Committee on Printing, calls up the following privileged report.

The Clerk read as follows:

Senate concurrent resolution No. 9.

Resolved by the Senate (the House of Representatives concurring). That there be printed 3,000 additional copies of Senate Miscellaneous Document 278, second session Fifty-third Congress, the same being a "Digest of decisions and precedents of the Senate and House of Representatives of the United States, relating to their powers and privileges respecting their members and officers and to investigations, contempts, libels, contumacious witnesses, expulsions, etc.," as revised and new matter added, together with decisions of the Supreme Court of the United States and other courts, of which 1,000 copies shall be for the use of the Senate and 2,000 copies for the use of the House of Representatives.

The amendments recommended by the committee were read, as follows:

In line 2 (engrossed copy of resolution) strike out the number "three thousand" and insert in lieu thereof "one thousand and eighty."

In line 14 strike out the number "one thousand" and insert in lieu thereof "three hundred and sixty."

In line 15 strike out the words "two thousand" and insert in lieu thereof "seven hundred and twenty."

The SPEAKER. The question is on the amendments.

Mr. TATE. Mr. Speaker, after conference with the chairman of the committee, I am inclined to think that these amendments had better not be adopted, for the reason that we might lose the benefit of this publication.

The SPEAKER. The amendments have been recommended by the committee, and will have to be voted upon. The question is on the amendments.

Mr. BARTLETT. Mr. Speaker, I desire to make an inquiry about this resolution of the gentleman from Georgia.

The SPEAKER. Does the gentleman from Georgia yield to his colleague?

Mr. TATE. Certainly.

Mr. BARTLETT. I desire to ask my colleague if this is the resolution which provides for the collating of precedents in reference to powers of the House, and is it a continuation of the work that Mr. Smith heretofore has done?

Mr. TATE. It is.

Mr. BARTLETT. Is there any provision as to what is to be paid?

Mr. TATE. The cost of printing the 3,000 will be about \$1,400.

Mr. BARTLETT. Another question. Are there further con-

tested-election cases, including the Roberts case, besides the preceding cases?

Mr. TATE. It is brought to date.

Mr. BARTLETT. I do not think my colleague understood my question. Does this resolution contemplate collating contested-election cases that have not been collated and digested?

Mr. TATE. It does.

The SPEAKER. The question is on agreeing to the amendments of the committee.

The question was taken; and the amendments were rejected.

The resolution was agreed to.

On motion of Mr. TATE, a motion to reconsider the vote by which the Senate concurrent resolution was agreed to was laid on the table.

ERROR IN ENROLLED BILL.

Mr. WARNER. Mr. Speaker, I ask unanimous consent for the present consideration of Senate concurrent resolution 280.

The Clerk read as follows:

Resolved. That the Committee on Enrolled Bills be, and it is hereby, authorized and directed to insert the word "low" after the word "below," in line 20, page 11, in the bill entitled "An act making further provision for a civil government for Alaska, and for other purposes," the same having been omitted in the enrolling of the bill.

The SPEAKER. This is a privileged matter. The question is on agreeing to the concurrent resolution.

The resolution was agreed to.

EXTRA COPIES OF CIVIL GOVERNMENT FOR ALASKA ACT.

Mr. HEATWOLE. Mr. Speaker, by direction of the Committee on Printing, I ask unanimous consent for the present consideration of House resolution 298.

The Clerk read as follows:

House resolution 298.

Resolved. That there be printed and placed in the document room of the House, for the use of the House, 1,000 copies of the act entitled "An act making further provision for a civil government for Alaska, and for other purposes," as finally passed.

The SPEAKER. The question is on agreeing to the resolution.

The question was taken; and the resolution was agreed to.

On motion of Mr. HEATWOLE, a motion to reconsider the vote by which the resolution was agreed to was laid on the table.

CONSTRUCTION AND OPERATION OF A WATER-POWER CANAL AT SAULT STE. MARIE, MICH.

Mr. BURTON. Mr. Speaker, I ask unanimous consent for the present consideration of the bill H. R. 11876.

The Clerk read as follows:

A bill (H. R. 11876) authorizing and regulating the construction and operation of a water-power canal at Sault Ste. Marie, Mich.

The bill was read at length.

Mr. HEPBURN. Mr. Speaker, it is evident that this is a bill which should have been considered by the Committee on Interstate and Foreign Commerce. As that committee has not considered the bill, I object.

Mr. BURTON. I think if the gentleman examines this he will find that it is a matter which does not belong to his committee. It applies to the locks of the Sault Ste. Marie Canal, and the object of the bill is not so much to grant a franchise or privilege as to provide remedial work to protect navigation. I trust the gentleman will withdraw his objection. It is exceedingly important, and it is asked for by those interested in navigation and the maintenance of the locks. They have been before our committee for days, and it has been carefully considered and agreed upon by all parties, and ought to be passed at this session.

The SPEAKER. Objection is made.

Mr. PAYNE. Mr. Speaker, I move that the House take a recess until 1 o'clock.

The motion was agreed to; and accordingly (at 12 o'clock and 30 minutes p. m.) the House was declared in recess until 1 o'clock.

AFTER THE RECESS.

The recess having expired, the House was called to order by the Speaker.

Mr. FITZGERALD of Massachusetts. Mr. Speaker, I ask unanimous consent to extend in the RECORD some remarks that I made in the House the other day on the District of Columbia bill.

The SPEAKER. The gentleman from Massachusetts asks unanimous consent to extend his remarks in the RECORD which he made on the District of Columbia appropriation bill. Is there objection?

Mr. PAYNE. I would like to know if the gentleman from Massachusetts made any remarks.

Mr. FITZGERALD of Massachusetts. I did; I spoke ten minutes.

Mr. PAYNE. I would like to have the time limited, Mr. Speaker, within the lifetime of the gentleman from Massachusetts. [Laughter.]

Mr. FITZGERALD of Massachusetts. Five days.

The SPEAKER. Five days. Is there objection? [After a pause.] The Chair hears none, and it is so ordered.

Mr. PAYNE. Mr. Speaker, I move that the House take a recess until quarter of 2.

Mr. CLARK of Missouri. Mr. Speaker, I rise to a question of information. Is this yesterday or to-day? [Laughter.] What I really want to know is, Mr. Speaker, were we not under obligations to adjourn at 12 o'clock noon?

The SPEAKER. Not at all; this is the legislative day of yesterday and in the Calendar day of to-morrow. [Laughter.]

The motion was agreed to; accordingly (at 1 o'clock and 15 minutes p. m.) the House was declared in recess until 1 o'clock and 45 minutes p. m.

AFTER THE RECESS.

The House was called to order by the Speaker.

CORRECTION OF A VOTE.

Mr. GAINES. Mr. Speaker, I desire to correct the Journal. On yesterday, on page 7203 of the RECORD, I am recorded as voting "present." I voted "aye," but I heard my name called as being paired with Mr. McCall, and so I withdrew my vote and was marked "present." I find that Mr. McCall voted, and I wish the Journal and RECORD corrected and my vote recorded.

The SPEAKER. The gentleman's correction will appear in the RECORD.

Mr. GAINES. I withdrew it under a misapprehension.

RELIEF OF SETTLERS ON THE PUBLIC LANDS.

Mr. CALDERHEAD. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (S. 4020) to amend an act of Congress approved May 14, 1890, entitled "An act for the relief of settlers on the public lands."

The bill was read, as follows:

As it enacted, etc. That the third section of the act of Congress approved May 14, 1890, entitled "An act for the relief of settlers on the public lands," be amended by adding thereto the following:

"Where an unmarried woman who has heretofore settled, or may hereafter settle, upon a tract of public land, improved, established, and maintained a bona fide residence thereon, with the intention of appropriating the same for a home, subject to the homestead law, and has married, or shall hereafter marry, before making entry and receive patent for the land: *Provided*, That she does not abandon her residence on said land, and is otherwise qualified to make homestead entry: *Provided further*, That the man whom she marries is not, at the time of their marriage, claiming a separate tract of land under the homestead law.

"That this act shall be applicable to all unpatented lands claimed by such entrywoman at the date of passage."

Mr. LENTZ. I would like to ask the gentleman whether this is a bill for the relief of single ladies who have settled in that Territory?

Mr. CALDERHEAD. Under the law single women may take homesteads.

Mr. LENTZ. Would the gentleman be willing to help relieve an anxious public who want to read the testimony in the Cœur d'Alene case?

Mr. CALDERHEAD. I do not know about that; I hope the gentleman will not object.

Mr. LENTZ. I will not object, Mr. Speaker.

The bill was ordered to be read a third time; and being read the third time, was passed.

Mr. CALDERHEAD. Mr. Speaker, I move that House bill 6440, similar in terms and relating to the same subject, be laid on the table.

The SPEAKER. Without objection, the corresponding House bill will lie on the table.

There was no objection.

On motion of Mr. CALDERHEAD, a motion to reconsider the vote whereby the bill was passed was laid on the table.

COLLECTION OF TAXES IN THE DISTRICT OF COLUMBIA.

Mr. MUDD. Mr. Speaker, I call up conference report on bill 11326 to regulate the collection of taxes in the District of Columbia, and I ask that the reading of the report be omitted and that the statement of the managers on the part of the House be read.

The SPEAKER. Without objection, that request will be granted.

There was no objection.

The conference report is as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 11326) to regulate the collection of taxes in the District of Columbia, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its amendment number 4.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, and 5, and agree to the same.

SYDNEY E. MUDD,
GEORGE A. PEARRE,
A. C. LATIMER,
Managers on the part of the House.
J. H. GALLINGER,
JAMES MCMLLAN,
THOMAS S. MARTIN,
Managers on the part of the Senate.

The Clerk read the statement, as follows:

The managers on the part of the House of the conference on the disagreeing votes of the two Houses on the amendments of the Senate to H. R. 11326, to regulate the collection of taxes in the District of Columbia, submit the following statement:

The House recedes from its disagreement to amendments 1, 2, and 3, which are merely verbal, and agrees to the same.

The House also recedes from its disagreement to amendment 5, which provides that the collection of taxes annually shall be confined to the coming year, which will give the assessor opportunity to install the new card system, and agrees to the same.

The Senate recedes from its amendment 4, which will leave the penalty 1 per cent per month, as at present.

SYDNEY E. MUDD,
GEO. A. PEARRE,
A. C. LATIMER,

Conferees on the part of the House of Representatives.

The conference report was agreed to.

WRECKS OF ALVENA AND AILSA.

Mr. RANSDELL. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (S. 1746) to provide for the inspection of the boilers of the *Alvena* and *Ailsa*.

The Clerk read the bill, as follows:

Be it enacted, etc. That the Secretary of the Treasury be, and he is hereby, authorized and directed to cause the inspection of the five foreign-built boilers taken from the wrecks *Alvena* and *Ailsa*, in New York Harbor in 1897, and purchased from the United States by John W. Chittenden, of New York, and to direct the issue of the usual certificate of inspection, whether said boilers are or are not constructed pursuant to the laws of the United States, or whether they are or are not constructed of iron stamped pursuant to said laws. The tests in the inspection of such boilers shall be the same in all respects as to strength and safety as are required in the inspection of boilers constructed in the United States for marine purposes: *Provided*, That in the inspection of these boilers to ascertain their fitness for marine purposes the owners thereof shall cause the tubes to be removed in order to permit the inspectors of steam vessels to make the fullest examination of the interior of said boilers.

The SPEAKER. Is there objection?

Mr. PAYNE. I would like to inquire what is the reason for the inspection of these boilers?

Mr. RANSDELL. These vessels were wrecked in the harbor of New York. They were foreign-built vessels, and the law makes no provision for their inspection by the authorities of this country.

Mr. PAYNE. And this inspection is to be made for the accommodation of the owners?

Mr. RANSDELL. Yes, sir. Here is the Senate report, which I can read, and which will explain the matter more briefly and clearly than I can:

Evidence filed with the committee shows that in 1897 the wrecks of the steamers *Alvena* and *Ailsa* lay in New York Harbor, and that in April of that year the Engineer Department of the Army advertised for their removal. John W. Chittenden, of New York, associated with the Merritt & Chapman Wrecking Company, was the successful bidder. During the progress of the work the engineer officer in charge decided it would be to the Government's interest to dispose of the material recovered to the highest bidder. The most valuable of the material was five boilers. The contractor's (Chittenden's) bid was the highest, and the amount of his bid for the boilers was deducted from the amount coming to him for removing the wreckage.

After purchasing the boilers and applying for their Government inspection, so that they could be used in a United States vessel, the purchaser, Chittenden, found that the United States inspectors had no authority under existing laws to make the inspection, as the boiler plates are of foreign manufacture. The present bill is to permit the inspection of these boilers to see if they are sufficiently strong and suitable to be used for United States marine purposes, to which end the usual tests will be applied, and the material will be passed only in the event that it successfully withstands all the tests, the Government being in no way committed to passing the boilers under the language of the bill.

The Supervising Inspector-General of Steam Vessels, to whom the bill was referred, reported that he had no serious objections to the passage of the bill.

That is the substance of the case.

Mr. PAYNE. It is a remarkable thing that the United States Government is called upon to inspect boilers for private parties.

Mr. GROSVENOR. If the gentleman from New York [Mr. PAYNE] will give me his attention for a moment, I think he will not have any trouble about this case. This machinery was sold by the Government of the United States from a wreck—sold to American citizens. The Government refuses to permit the purchaser to operate that machinery without inspection; and there is no law authorizing the inspection of foreign-built machinery of that character by Government officers. This bill simply authorizes the United States Inspection Department to have made an inspection of the property that the Government itself sold to these persons.

Mr. RANSDELL. I may state further that this bill was carefully examined by the Committee on the Merchant Marine and Fisheries and there was a unanimous report in its favor. The bill has already passed the Senate.

There being no objection, the House proceeded to the consideration of the bill; which was ordered to a third reading, read the third time, and passed.

On motion of Mr. RANSDELL, a motion to reconsider the last vote was laid on the table.

LOBSTER HATCHERY IN MAINE.

Mr. GREENE of Massachusetts. I ask unanimous consent for the immediate consideration of the bill (H. R. 4910) to establish a lobster hatchery in the State of Maine.

The bill was read.

The SPEAKER. Is there objection?

Mr. LENTZ. I object unless we can have printed the Cœur d'Alene testimony. We have had lobster enough to-day. [Laughter.]

ALLOTMENTS OF INDIAN LANDS.

Mr. MERCER. I ask unanimous consent for the consideration of the bill which I send to the Clerk's desk.

The Clerk read the bill (H. R. 8856) amending the act of August 15, 1894, entitled "An act making appropriations for current and contingent expenses of the Indian Department and fulfilling treaties and stipulations with various Indian tribes for the fiscal year ending June 30, 1895, and for other purposes."

The SPEAKER. Is there objection?

Mr. TERRY. Reserving the right to object, I would like to hear some statement in regard to the bill.

Mr. LENTZ. Unless we can have the Cœur d'Alene testimony printed, I object.

The SPEAKER. The gentleman from Ohio objects.

Mr. PAYNE. I move that we take a recess until half past 2 o'clock.

The motion was agreed to; and the House took a recess accordingly.

The recess having expired, the House, at half past 2 o'clock p. m., resumed its session.

FISH-HATCHING AND FISH STATION, WEST VIRGINIA.

Mr. JOHNSTON. I ask unanimous consent for the present consideration of the bill (S. 2438) to establish a fish-hatching and fish station in the State of West Virginia.

The bill was read, as follows:

Be it enacted, etc., That the sum of \$25,000, or so much thereof as may be necessary, be, and the same is hereby, appropriated for the establishment of a fish-cultural station in the State of West Virginia, including purchase of site, construction of buildings and ponds, and equipment, at some suitable point to be selected by the United States Commissioner of Fish and Fisheries.

There being no objection, the House proceeded to the consideration of the bill; which was ordered to a third reading, read the third time, and passed.

On motion of Mr. JOHNSTON, a motion to reconsider the last vote was laid on the table.

FISHERY INTERESTS ON THE PACIFIC COAST.

Mr. CUSHMAN. I ask unanimous consent for the present consideration of the bill (H. R. 10153) appropriating \$1,500 to investigate the fishery interests on the Pacific coast.

The bill with the amendment was read.

The SPEAKER. Is there objection?

Mr. LENTZ. Until we have ordered the printing of the Cœur d'Alene investigation, I object to the gentleman from Washington telling his fish tales here. [Laughter.]

The SPEAKER. Objection is made.

RELIEF OF EMIGRANT INDIANS.

Mr. LACEY. The gentleman from Indiana notified me that he desired to withdraw his objection to the consideration of the House bill 8966.

The SPEAKER. The Clerk will read the title of the bill. The Chair understands it was before reported in full.

Mr. LACEY. Yes, sir.

The Clerk read as follows:

The bill (H. R. 8966) for the relief of certain Indians in the Indian Territory who desire to sell their lands and improvements and emigrate elsewhere.

The SPEAKER. Is there objection?

Mr. BAILEY of Texas. I should like to hear an explanation.

Mr. LACEY. The committee has amended the bill in such a way as to place the whole matter absolutely in the control of the Secretary of the Interior, allowing him discretion.

Mr. BAILEY of Texas. If the object of this bill is to remove legal disabilities of Indians, as is often done in the case of infants, I believe some such measure ought to be passed. The Secretary of the Interior lives too far from that country and knows too little about those people.

Mr. LACEY. There are some Indians there suffering from pulmonary trouble, who would like to dispose of their interests and emigrate. The committee has so amended the bill as to place the matter absolutely within the control of the Secretary of the Interior, so that nothing shall be done except under his direction.

Mr. BAILEY of Texas. The trouble is that the present Secretary of the Interior, like too many of his predecessors, knows very little about the conditions existing in the Indian Territory.

I do believe there ought to be some provision of the law allowing an Indian who is competent, or under peculiar circumstances like these, to dispose of his land and leave the Territory if he desires to do so; but it ought to be done the same as we deal with the interests of minors.

Mr. LACEY. This requires the concurrent action of the Secre-

tary and of the Indians. Nothing can be done except by the approval of the Secretary of the Interior.

Mr. BAILEY of Texas. I shall not object, but I doubt the wisdom of the enactment.

Mr. LENTZ. Until there is some further explanation why the Cœur d'Alene testimony is not printed, I object.

The SPEAKER. The gentleman from Ohio objects.

Mr. PAYNE. Mr. Speaker, I move that the House take a recess until 3 o'clock.

The motion was agreed to.

Accordingly (at 2 o'clock and 35 minutes p. m.) the House took a recess until 3 o'clock.

The recess having expired, the House, at 3 o'clock p. m., resumed its session.

THE ARMY CANTEEN.

Mr. HEATWOLE. I am directed by the Committee on Printing to ask consideration for a privileged resolution which I send to the Clerk's desk.

The SPEAKER. The gentleman from Minnesota, by direction of the Committee on Printing, calls up a privileged resolution, which the Clerk will report.

The Clerk read as follows:

Resolved, That there be printed of the report and accompanying documents on the bill (H. R. 8752) to abolish the canteen in the Army 5,000 copies for the use of the House, to be placed in the folding room to the credit of members, and 3,000 copies for the use of the Senate.

Mr. HEATWOLE. There is an amendment to the resolution. The following committee amendment was read:

Strike out all of the original resolution and insert in lieu thereof the following:

Resolved, That there be printed of the majority and minority reports and accompanying documents on the bill (H. R. 8752) to abolish the canteen in the Army 6,000 copies for the use of the House of Representatives.

The amendment was agreed to.

The resolution as amended was agreed to.

STATUE OF GENERAL GRANT.

Mr. HEATWOLE. I ask unanimous consent for the present consideration of House concurrent resolution 69.

The SPEAKER. The gentleman from Minnesota asks unanimous consent for the present consideration of a House concurrent resolution, which the Clerk will report.

The Clerk read as follows:

Resolved by the Senate (the House of Representatives concurring), That there be printed and bound, in the form of eulogies, 13,025 copies of the proceedings in Congress upon the reception and acceptance of the statue of Gen. Ulysses S. Grant, presented by the Grand Army of the Republic, of which 4,000 shall be for the use of the Senate, 8,000 for the use of the House of Representatives, 1,000 to be delivered to the committee of the Grand Army of the Republic on the Grant memorial, and the remaining 25 copies, bound in full morocco, to be presented to Mrs. Julia Dent Grant; and the Public Printer is directed to procure a photogravure of said statue and a photogravure likeness of General Grant to accompany said proceedings.

The SPEAKER. Is there objection?

There was no objection.

The resolution was agreed to.

STATUES OF THOMAS H. BENTON AND FRANCIS P. BLAIR.

Mr. HEATWOLE. Mr. Speaker, I am further directed by the committee to ask unanimous consent for the present consideration of a resolution which I send to the Clerk's desk.

The Clerk read as follows:

Resolved by the Senate (the House of Representatives concurring), That there be printed and bound of the proceedings in Congress upon the acceptance of the statues of the late Thomas H. Benton and Francis P. Blair, presented by the State of Missouri, 16,500 copies, of which 5,000 shall be for the use of the Senate, 10,000 for the use of the House of Representatives, and the remaining 1,500 shall be for the use and distribution by the governor of Missouri; and the Secretary of the Treasury is hereby directed to have printed an engraving of said statues to accompany said proceedings, said engravings to be paid for out of the appropriation for the Bureau of Engraving and Printing.

The SPEAKER. Is there objection?

There was no objection.

The resolution was agreed to.

AWARDS AT COLUMBIAN EXPOSITION, CHICAGO.

Mr. HEATWOLE. I am further directed by the Committee on Printing to ask for the consideration of the following resolution.

The SPEAKER. The gentleman from Minnesota also presents the following.

The Clerk read as follows:

Resolved by the Senate (the House of Representatives concurring), That there be printed 3,000 copies of the Special Expert Reports as prepared under the direction of the committee of awards of the Columbian Exposition, held in Chicago in 1893, of which 1,000 shall be for the use of the Senate and 2,000 for the use of the House of Representatives.

The committee amendment to the resolution was read.

The SPEAKER. Is there objection?

Mr. LENTZ. Mr. Speaker, unless we can have the Cœur d'Alene testimony printed, I object.

Mr. HEATWOLE. Do I understand that the gentleman from Ohio [Mr. LENTZ] objects to this?

Mr. LENTZ. I do, unless you will also report the privileged resolution in your possession passed by the Senate to print the Cœur d'Alene testimony.

The SPEAKER. Objection is made.

On motion of Mr. HEATWOLE, a motion to reconsider the several votes by which the resolutions were agreed to was laid on the table.

RESIGNATION OF REPRESENTATIVE SMITH M'PHERSON.

The SPEAKER laid before the House the following communication:

HOUSE OF REPRESENTATIVES, Washington, June 6, 1900.

SIR: I have this day resigned the office of Representative from the Ninth Iowa district, Fifty-sixth Congress of the United States.

Your obedient servant,

SMITH MCPHERSON.

HON. DAVID B. HENDERSON,

Speaker House of Representatives, Washington, D. C.

COMMITTEE APPOINTMENT.

The SPEAKER announced the following committee appointment:

To be a member of the Committee on the Post-Office and Post-Roads—Mr. HEDGE.

AMERICAN REGISTER FOR BARGE DAVIDSON.

Mr. DALY of New Jersey. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (S. 3901) to provide an American register for the barge Davidson.

Mr. HENRY of Connecticut. I object.

EULOGIES ON THE LATE REPRESENTATIVE BLAND.

Mr. HEATWOLE. Mr. Speaker, I present the following privileged report from the Committee on Printing.

The SPEAKER. Is this for the use of the House and Senate?

Mr. HEATWOLE. It is. It is a Senate resolution.

The Clerk read as follows:

Resolved by the Senate (the House of Representatives concurring), That there be printed 6,000 additional copies of the eulogies upon the late Richard P. Bland, a Representative from the State of Missouri; of which 2,000 copies shall be for the use of the Senate and 4,000 copies for the use of the House of Representatives.

The resolution was agreed to.

On motion of Mr. HEATWOLE, a motion to reconsider the last vote was laid on the table.

SUPREME LODGE KNIGHTS OF PYTHIAS.

Mr. DOLLIVER. Mr. Speaker, I ask unanimous consent for the present consideration of the bill which I send to the Clerk's desk.

The bill (H. R. 11599) to amend an act to incorporate the Supreme Lodge of the Knights of Pythias was read, as follows:

Be it enacted, etc., That the first section of said act be, and the same is hereby, amended by adding thereto the following:

"And said corporation may provide for the meetings of its legislative or governing body in any State, country, province, or territory wherein such association shall have subordinate bodies, and all business transacted at such meetings shall be valid in all respects as if such meetings were held within said District; and all business heretofore transacted at any meetings held outside of the District of Columbia shall be valid in all respects to the same extent as if such meetings had been held within said District."

SEC. 2. This act shall take effect from and after its passage and approval.

Mr. LENTZ. Mr. Speaker, I want to know whether this is to incorporate the grand lodge in the District of Columbia or in some other part of the country.

Mr. DOLLIVER. I will say, Mr. Speaker, that the Supreme Lodge of the Knights of Pythias was incorporated in 1894.

Mr. LENTZ. In the District of Columbia?

Mr. DOLLIVER. Yes. The act of incorporation required them to hold their annual meetings within the District of Columbia. In 1897 a general statute was passed authorizing benevolent and fraternal societies like this to hold their meetings anywhere, and in one sense the proposition contained in this bill might be supposed already to be the law; but a judge in California has decided that since the Knights of Pythias were incorporated prior to the enactment of this general law they are not included within the provisions of the act of 1897, and for the purpose of removing the doubts that have arisen, and upon the request of general officers of the order throughout the world, I have introduced and asked consent for the consideration of this bill.

Mr. TERRY. I suggest an amendment.

The SPEAKER. The Chair suggests that unanimous consent must first be given for the consideration of the bill, and then it will be open to amendment.

Mr. LENTZ. I did not understand the gentleman. Do you say that there is some decision in California that makes this necessary?

Mr. DOLLIVER. There was a decision rendered by a nisi prius court held in California that holds that the meetings of the grand lodge outside of the District of Columbia are illegal. This is a matter of some interest to the order; and, for the purpose of removing that doubt, they ask this amendment to bring them within the provisions already accorded by general law to all other benevolent and fraternal associations.

Mr. LENTZ. Inasmuch as I am a Knight of Pythias myself, and they have lodges in the Cœur d'Alene district, I shall not object. [Laughter.]

The SPEAKER. The gentleman from Arkansas has an amendment he desires to offer.

Mr. TERRY. I offer the following amendment:

Strike out the words "any State, country, Territory, or province wherein" and insert in lieu thereof the word "wherever."

So that wherever they have a lodge they may meet.

The SPEAKER. The Clerk will report the amendment so that the House will understand its import. The Clerk will read as amended.

The Clerk read as follows:

Page 1, line 7, strike out the words "State, country, province, or Territory" and insert in lieu thereof the word "wherever."

Mr. DOLLIVER. I have no objection to that amendment.

The SPEAKER. The question is on agreeing to the amendment of the gentleman from Arkansas.

The question was taken; and the amendment was agreed to.

The SPEAKER. The question is now upon the amendments of the committee.

The question was taken; and the amendments of the committee were agreed to.

The bill was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

NEW DIVISION OF THE WESTERN JUDICIAL DISTRICT OF THE STATE OF MISSOURI.

Mr. BENTON. Mr. Speaker, I desire to ask unanimous consent for the present consideration of the bill H. R. 10498.

The Clerk read as follows:

A bill (H. R. 10498) to create a new division in the western judicial district of the State of Missouri.

Be it enacted, etc., That a new division of the western judicial district of the State of Missouri, to be known as the southwestern division judicial district of Missouri, be, and the same is hereby, established, to be composed of the following counties, to wit: Jasper, Newton, Barton, Vernon, Barry, Lawrence, McDonald, and Stone; and said counties be, and the same are hereby, transferred to said southwestern division of said western district of Missouri; but no additional clerk or marshal shall be appointed in or for said division of said district.

SEC. 2. That terms of the circuit court and of the district court of the southwestern division judicial district of Missouri shall be held at Joplin, in said State, each year, on the second Mondays of June and of January, after this act goes into effect.

SEC. 3. That the clerks of the district and circuit courts for the western district of Missouri, and the marshal and attorney of the United States for said district shall perform the duties appertaining to their offices, respectively, for said courts of said southwestern division judicial district, and except when court is in session, and a judge present, the clerk's office of the said courts may be at Springfield, where all records of said courts may be kept as of the same court; and all duties performed as though the clerk were at Joplin; but should, in the judgment of the district judge and the clerk, the business of said courts hereafter warrant a deputy clerk at Joplin, Mo., new books and records may be opened for the courts herein created, and kept at Joplin, and a deputy clerk appointed to reside and keep his office at Joplin.

SEC. 4. That all suits not of a local nature in said circuit and district courts against a single defendant, inhabitant of said State, must be brought in the division of the district where he resides; but if there are two or more defendants residing in different divisions of the district such suits may be brought in either division.

SEC. 5. That all prosecutions for crimes or offenses hereafter committed in either of the divisions of said district shall be cognizable within such division, and all persecutions for crimes or offenses heretofore committed in the western district of Missouri, as heretofore constituted, shall be commenced and proceeded with as if this act had not been passed.

SEC. 6. That all grand and petit jurors summoned for service in each division shall be residents of such division. All mesne and final process, subject to the provisions hereinbefore contained, issued in either of said divisions, may be served and executed in either or any of the divisions.

SEC. 7. That in all cases of removal of suits from courts of the State of Missouri to the courts of the United States in the western district of Missouri such removal shall be to the United States courts in the division in which the county is situated from which the removal is made, and the time within which the removal shall be perfected, in so far as it refers to or is regulated by the terms of the United States courts, shall be deemed to refer to the terms of the United States courts held in said southwestern division judicial district.

SEC. 8. That each of said courts shall be held in a building to be provided for that purpose by the county or municipal authorities, and without expense to the United States.

SEC. 9. That this act shall be in force from and after the 1st day of July, A. D. 1900, and all acts or parts of acts so far as inconsistent herewith are hereby repealed.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. CAPRON. Reserving the right to object, I believe a bill of that kind ought to have some explanation, so that the House may understand what it is.

Mr. BENTON. I will take pleasure in giving an explanation. This bill seeks to create a new division for the western district of Missouri. The people who are inhabitants of the district that we propose to make have to go to Kansas City, a distance of 100 to 180 miles, or to Springfield, a distance of 90 or 125 miles, to every court. This seeks to make a new division, the courts of the division to be held twice a year in the city of Joplin. The clerk of the court at Springfield is to be the clerk at Joplin. The only expense created by this new division will be the expense of the

grand and petit juries twice a year, and that is made up to the Government in the matter of mileage alone.

Mr. CAPRON. Mr. Speaker, I withdraw objection.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The bill was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

On motion of Mr. BENTON, a motion to reconsider the vote by which the bill was passed was laid on the table.

THIRTEENTH ANNUAL REPORT OF THE COMMISSIONER OF LABOR.

Mr. HEATWOLE. Mr. Speaker, I am directed by the Committee on Printing to ask unanimous consent for the present consideration of the Senate joint resolution No. 52.

The SPEAKER. The gentleman from Minnesota, from the Committee on Printing, asks unanimous consent for the present consideration of the concurrent resolution which the Clerk will report.

The Clerk read as follows:

Senate concurrent resolution No. 52.

Resolved by the Senate (the House of Representatives concurring), That there be printed and bound in cloth 8,000 extra copies of the report of the Commissioner of Labor on hand and machine labor, known as his thirteenth annual report, of which 5,000 shall be for the use of the Department of Labor and 1,000 copies for the use of the Senate and 2,000 copies for the use of the House of Representatives.

The SPEAKER. Is there objection?

Mr. LENTZ. Mr. Speaker, I am opposed to the business of making slaves in the Cœur d'Alene district, and unless we can have the testimony printed as to how they are making slaves there, I object.

Mr. HEATWOLE. I desire to have it go on record that the gentleman from Ohio [Mr. LENTZ] makes objection to this resolution.

The SPEAKER. This is all a matter of record.

ALLOTMENTS OF LAND TO PERSONS OF INDIAN BLOOD.

Mr. MERCER. Mr. Speaker, once more I ask unanimous consent for the consideration of the bill H. R. 8856. The bill was read a few moments ago, Mr. Speaker.

The Clerk read as follows:

A bill (H. R. 8856) amending the act of August 15, 1894, entitled "An act making appropriations for current and contingent expenses of the Indian Department and fulfilling treaties and stipulations with various Indian tribes for the fiscal year ending June 30, 1895," and for other purposes.

Mr. PAYNE. I hope the bill will be explained.

Mr. MERCER. I will repeat what I said a few moments ago. This simply cures a defect in legislation had two Congresses ago. It simply provides for an entrance into United States courts. In the present situation the only way a person can get into court in litigation of this sort is to have the United States attorney of the several districts accept service. This provides for the service to be served upon the United States attorney within the district. That should have been in the original legislation, and it has been passed upon by the Attorney-General, the Commissioner of the General Land Office, and the Secretary of the Interior.

Mr. LENTZ. Mr. Speaker, I will ask the gentleman whether he is willing to correct a defect in the record of this House as to publishing the testimony in the Cœur d'Alene investigation?

The SPEAKER. Is there objection?

Mr. LENTZ. I make no objection.

The SPEAKER. The Chair hears none.

The bill was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

On motion of Mr. MERCER, a motion to reconsider the vote by which the bill was passed was laid on the table.

LOBSTER HATCHERY, STATE OF MAINE.

Mr. FITZGERALD of Massachusetts. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 4910) to establish a lobster hatchery in the State of Maine.

The Clerk read the bill, as follows:

Be it enacted, etc., That the United States Commissioner of Fish and Fisheries is hereby authorized and directed to construct and equip a lobster hatchery upon the coast of Maine, the cost of establishing the same, including the purchase of land and water rights, not to exceed the sum of \$10,000.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. CUSHMAN. I object.

FRED WEDDE.

Mr. RAY of New York. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (S. 1794) for the relief of Fred Wedde.

The bill was read, as follows:

Be it enacted, etc., That Fred Wedde, having served in the Quartermaster's Department of the United States Army during the war of the rebellion, and with the Regular Army before the late war, be, and he is hereby relieved from any disability under the laws of the United States from any defect of naturalization, and is hereby authorized to prosecute Indian depredation claim No. 686, now pending in the United States Court of Claims, and to re-

ceive judgment therein the same as if he had been naturalized under the laws of the United States at the date of the loss.

Mr. RAY of New York. Now, Mr. Speaker, I desire to say—Mr. BAILEY of Texas. Mr. Speaker, is this a request for unanimous consent?

The SPEAKER. It is.

Mr. BAILEY of Texas. Reserving the right to object, I would like to hear what the gentleman has to say in explanation of the bill.

The SPEAKER. Reserving the right to object, the gentleman from Texas asks for an explanation.

Mr. LENTZ. Mr. Speaker, I reserve the right to object, too.

Mr. RAY of New York. Mr. Speaker, this bill has already passed the Senate, and is reported unanimously from the Committee on the Judiciary. It is not a bill in which I am interested. The gentleman for whose benefit it is to be enacted lives in California.

Mr. BAILEY of Texas. It makes no difference where he lives.

Mr. RAY of New York. Let me explain. He came to this country with his people when he was 18 years of age, settled in California and went into the Army, and has served in the Army eighteen years, and been a faithful servant. Out on the frontier where he lives the Indians committed a depredation on his property, and he has a claim for it. He went into court with it, and it is necessary there for him to prove that he is a citizen of the United States. When he came to prove that up, they found this defect in the naturalization.

Mr. BAILEY of Texas. Has his case been dismissed for want of jurisdiction?

Mr. RAY of New York. It is pending there. It is substantially dismissed; that is, he can not go on with it because he can not prove his citizenship. He served eighteen years in the Army; he has always voted; he has exercised the rights of citizenship until a year ago, when this defect appeared.

Mr. BAILEY of Texas. I think he is entitled to that; but I suggest to the gentleman if his case has been dismissed, I doubt if he will be able to get back into court by this bill.

Mr. RAY of New York. It is not dismissed formally. It is pending in the courts, but it is blocked there.

Mr. BAILEY of Texas. They are waiting for this. Because with the failure of the proof of citizenship the case would have been dismissed. If you simply allow him to prosecute the case without removing the bar of the statute of limitations—

Mr. RAY of New York. It is still pending.

Mr. RIDGELY. Will the gentleman allow me to ask him a question?

Mr. RAY of New York. Certainly.

Mr. RIDGELY. Is it not necessary for this man to establish the fact that he was a citizen at the time the damage occurred, or is it enough that he satisfies the court that he was a citizen at the time he prosecuted his claim?

Mr. RAY of New York. At the time he has prosecuted the claim, when it comes on to be heard. This bill simply cures the defect in the naturalization.

Mr. RIDGELY. And gives him a standing in court.

Mr. RAY of New York. You give him a standing in court. He has been a good citizen ever since he was 18 years of age, and he is now seventy-five or eighty years of age.

Mr. RIDGELY. I think it ought to pass.

Mr. STEPHENS of Texas. Has the gentleman any objection to including all persons in that class? There is a bill now pending to that effect.

Mr. RAY of New York. I certainly would have no objection to that if we knew who they were and were well informed that there were any cases of that kind that are just and meritorious. If the gentleman will introduce a bill and send it to the Judiciary Committee, we will report it out.

Mr. STEPHENS of Texas. There are a great many cases of that kind, and a general bill has been introduced, but the Secretary of the Interior has reported against it. I do not think it is fair to select an individual and leave out a class.

Mr. RAY of New York. There can not be a class of this kind.

Mr. STEPHENS of Texas. Yes, there is.

Mr. RAY of New York. What; coming to the country when 18 years of age and serving in the United States Army eighteen years with a defect in the naturalization?

Mr. STEPHENS of Texas. Yes.

Mr. RAY of New York. If such a case should come before the Judiciary Committee, all persons of that class would be reported on favorably.

Mr. STEPHENS of Texas. It went to the Committee on Indian Affairs, and they have refused to report the bill.

Mr. RAY of New York. It went to the wrong committee.

Mr. STEPHENS of Texas. No; we have the wrong Secretary of the Interior who is holding up the cases to prevent the citizens of the United States from going under the same law and getting their rights. I am opposed to picking out one individual

and passing a bill of this character for his benefit, while we cut out the entire class of such persons throughout the country.

Mr. RAY of New York. There could not be any other case like this.

Mr. LANHAM. I have not the slightest doubt that the Judiciary Committee would be perfectly ready to report a general bill covering such cases as this; but there has been no such general bill before that committee.

Mr. STEPHENS of Texas. If the Committee on Judiciary will agree to do that, I have no objection.

Mr. LANHAM. I have no doubt they would.

Mr. BAILEY of Texas. Let the gentleman ask unanimous consent to refer the bill to the Judiciary Committee, taking it away from the Committee on Indian Affairs.

Mr. RAY of New York. If gentlemen will present any such cases as this to the committee, they will certainly be reported.

Mr. LANHAM. I am aware of meeting at least one case in our State which was "on all fours" with the case now presented. If the gentleman will introduce his bill at the next session and refer it to the Judiciary Committee, I will see that it is taken care of.

Mr. BAILEY of Texas. The gentleman can not choose what committee it shall be referred to; that is a matter for the Speaker, under the rules.

The SPEAKER. Is there objection?

Mr. RIDGELY. I gather from the answer of the gentleman from New York [Mr. RAY] that in a similar case it would require citizenship for a number of years—

Mr. RAY of New York. Certainly not.

Mr. RIDGELY. Then would the gentleman object to giving any man a standing in court under similar circumstances, by granting him citizenship upon proper application, under a law properly guarded and with proper conditions?

Mr. RAY of New York. We do not undertake to naturalize citizens in that way. The object in this case is merely to remedy a defect in the law. This man supposed himself to be a citizen. He came here when a boy—

Mr. RIDGELY. I said on a properly guarded bill, with proper conditions.

Mr. RAY of New York. I would have no objection, of course, if the law was properly guarded.

Mr. LENTZ. I understand that this man served in the civil war.

Mr. RAY of New York. Yes, sir. He served through the civil war, and he served in the Army of the United States in all nineteen years.

Mr. LENTZ. Was he one of those G. A. R. men such as we have had imprisoned without charge or trial in the bull pen out in Idaho?

Mr. RAY of New York. I do not know anything about that.

Mr. LENTZ. I make no objection.

There being no objection, the House proceeded to the consideration of the bill; which was ordered to a third reading, read the third time, and passed.

On motion of Mr. RAY of New York, a motion to reconsider the last vote was laid on the table.

CENSUS.

Mr. HOPKINS. Mr. Speaker, I ask to take from the Speaker's table the Senate resolution relating to the history of the First and subsequent censuses.

The SPEAKER. The gentleman from Illinois calls up from the Speaker's table a concurrent resolution of the Senate, which the Clerk will read.

The Clerk read as follows:

Resolved, That there be printed and bound, for the use of the Census Bureau, 500 copies of the Senate Document No. 194, first session of the Fifty-sixth Congress, entitled "The History and Growth of the United States Census."

Mr. HOPKINS. I will merely say that the Director of the Census says it is necessary to have that resolution passed at this session. I therefore ask for a vote.

The SPEAKER. Is there objection?

Mr. LENTZ. Unless we can also have the Idaho testimony printed, I object.

The SPEAKER. Objection is made.

PERSONAL EXPLANATION.

Mr. MORRIS. I desire to make a personal explanation. On page 673 of the RECORD of yesterday I am recorded as voting in the affirmative. The RECORD is correct. But I had a general pair with the gentleman from Arkansas, Mr. McCULLOCH, and all day yesterday I was answering "present." I intended to withdraw that vote; but at the time the when opportunity came my attention was diverted and I did not do it. The vote had no effect upon the result, and I wish to make this explanation so that the gentleman with whom I was paired may understand it.

The SPEAKER. The gentleman's explanation will stand in the RECORD to exp...in his intent.

TRAVELING ALLOWANCES—ENLISTED MEN.

Mr. MONDELL. Mr. Speaker, I ask unanimous consent for the immediate consideration of Senate bill 3616, to authorize the payment of traveling allowances to enlisted men of the regular and volunteer forces when discharged by order of the Secretary of War and stated by him as entitled to travel pay.

The SPEAKER. The bill will be read, after which the Chair will ask if there be objection.

Mr. LENTZ. Mr. Speaker, the gentleman is on the Committee on Military Affairs and knows the necessity for printing the Cœur d'Alene testimony, and I object until that printing has been ordered by the House.

Mr. KING. Mr. Speaker, I do not think the gentleman from Ohio ought to object to this bill. It is a very meritorious bill.

Mr. LENTZ. Mr. Speaker, there are a number of men of the kind that this bill seeks to provide for, who want additional back pay and allowances and travel pay and that sort of thing, and the beneficiaries of the bill to which the gentleman refers are not the only ones. I shall therefore oppose the consideration of this bill on general reasons, and I shall object to its consideration until a general bill covering just such cases has been introduced and considered, and in any event until you print the Cœur d'Alene testimony.

The SPEAKER. There is nothing before the House but Cœur d'Alene. [Laughter.]

AUTOMATIC COUPLERS AND CONTINUOUS BRAKES.

Mr. CORLISS. Mr Speaker, I ask unanimous consent for the consideration of the bill (H. R. 10302) to amend an act to promote the safety of employees, etc., by requiring common carriers engaged in interstate commerce to equip their cars with automatic couplers and continuous brakes, etc., approved March 2, 1893.

Mr. LENTZ. I desire to submit a parliamentary inquiry before that.

The SPEAKER. The gentleman will state it.

Mr. LENTZ. I understood the Speaker to hold a moment ago that the Cœur d'Alene matter was before the House. If that be the case, I do not desire to yield to the gentleman from Michigan until we have secured an order to print the testimony.

The SPEAKER. It was before the House, but the House went through with it. [Laughter.]

Mr. LENTZ. Then I reserve the right to object to this bill for which the gentleman from Michigan asks unanimous consent.

The SPEAKER. The gentleman from Michigan asks unanimous consent for the consideration of the bill, and the bill will be read, subject to the right of objection.

The bill was read, as follows:

Be it enacted, etc. That there be added to the act entitled "An act to promote the safety of employees and travelers upon railroads by compelling common carriers engaged in interstate commerce to equip their cars with automatic couplers and continuous brakes and their locomotives with driving-wheel brakes, and for other purposes," approved March 2, 1893, the following:

"SEC. 9. That where any collision of trains, where one of the trains is a passenger train, shall occur on a railroad of any common carrier engaged in interstate commerce by railroad, or where any passenger train, or any part of a passenger train, accidentally leaves the rails, it shall be the duty of the general superintendent or general manager, or other officer in general charge of the movement of trains on said road, to immediately institute an investigation into the causes of such accident and transmit a full and detailed report, under oath, showing the nature and causes thereof, to the Interstate Commerce Commission at their office at Washington, D. C. It shall also be the duty of any such common carrier to make to the Interstate Commerce Commission a monthly report, under oath, of all accidents which may occur to its passengers or employees, whether attended with loss of life or personal injury, and such report shall state the causes and circumstances connected therewith.

That any common carrier failing to make such report within ten days after the end of any month, or failing to make report of any collision or cars leaving the rails accidentally, as herein required, within ten days after the occurrence of such accident, shall be deemed guilty of a misdemeanor and, upon conviction thereof by a court of competent jurisdiction, shall be punished by a fine of not less than \$100, and not more than \$500, for each and every offense and for every day during which it shall fail to make such report after the time herein specified for making the same. The failure of the superintendent, general manager, or other officer in charge of the movement of trains to make report to the Interstate Commerce Commission, as herein required, shall be deemed the offense of the carrier as well as of such officer himself: Provided, That neither said report nor any part thereof shall be admitted as evidence or used for any purpose against such railroad so making such report in any suit or action for damages growing out of any matter mentioned in said report.

"SEC. 10. That the Interstate Commerce Commission is authorized to prescribe for such common carriers a method and form for making the reports in the foregoing section provided."

The Committee on Interstate and Foreign Commerce recommend the adoption of the following amendments:

In line 3, page 2, strike out the words "general" and "or general manager." In line 4 strike out the word "general" and insert, same line, after the word "on," the words "the division of."

In line 5, after the word "road," insert "on which the accident occurred."

In line 6 strike out the words "full and detailed."

In lines 6 and 7 strike out the words "under oath" and insert the following:

"to the general manager or general superintendent of the road."

In line 7, after the word "thereof," insert "and it shall be the duty of such general manager or general superintendent to transmit such report."

In line 11 strike out the words "under oath." Strike out in line 16 the word "ten" and insert "thirty." In line 18 strike out the word "ten" and insert "thirty." In line 25 strike out the words "general manager." Line 1, page 3, insert, after the word "trains," the words "as aforesaid." Line 2, page 3, before the word "the," insert "the general manager or general superintendent, or of said general manager or general superintendent to make report to."

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. SHATTUC. I object until I can have an opportunity of asking the gentleman a question or two.

Mr. LENTZ. I object until a satisfactory explanation is given.

Mr. BANKHEAD. I object, Mr. Speaker, until this matter is satisfactorily explained.

Mr. CORLISS. Now, Mr. Speaker—

The SPEAKER. The gentleman from Ohio, Mr. LENTZ, reserves the right to object.

Mr. SHATTUC. The gentleman from Ohio, Mr. LENTZ?

The SPEAKER. The Chair has just stated that the gentleman from Ohio, Mr. LENTZ, objected.

Mr. SHATTUC. I beg the pardon of the Chair. I hope the Chair does not call me Mr. LENTZ. [Laughter.]

The SPEAKER. The Chair wants no difficulty with the gentleman from Ohio.

Mr. SHATTUC. I wish to ask the gentleman from Michigan what committee introduced this bill.

Mr. CORLISS. It was not introduced by any committee, but by a member of the House and heard by the Committee on Interstate and Foreign Commerce.

Mr. SHATTUC. That is of course what I meant—who introduced the bill. Is the report a unanimous one?

Mr. CORLISS. I will state to the gentleman that this has been carefully considered by the committee and unanimously reported, and is in the interest of safety for the employees of the railways as well as for the traveling public, and has the approval of the Interstate and Foreign Commerce Committee. It has met no objection from any source, and is in the interest of the lives of the people who are carried on the transportation lines of the country as well as of the employees of these lines.

The only purpose is to secure a report of the accidents, and the causes of the accidents, to the Interstate Commerce Commission in order that that information, in addition to that already furnished them, may be given, and may be used for the benefit of these employees as well as the public.

Mr. SHATTUC. Is this a House bill?

Mr. CORLISS. It is a House bill, and was introduced, I think, by the chairman of the Committee on Commerce.

Mr. SHATTUC. I withdraw the objection.

Mr. CORLISS (continuing). And it is urgently asked for by the railway employees.

Mr. LENTZ. Will the gentleman permit an amendment to the bill providing also for the liberty and safety of labor union men in Shoshone County, Idaho?

Mr. CORLISS. I will say to the gentleman that the labor organizations in the United States engaged on transportation lines have asked for this legislation, but have not asked for the amendment suggested by the gentleman from Ohio; and I should certainly feel called upon to object to its incorporation at this time in the pending bill.

Mr. LENTZ. If they could read the record of the evidence taken in the Military Committee room on the Idaho bull pen, they would ask for it; but I do not object to the passage of this bill.

Mr. BALL. I will ask the gentleman from Michigan if the Interstate and Foreign Commerce Committee have made any effort or taken any steps in the past two sessions to comply with any of the recommendations of the Interstate Commerce Commission to give them power to deal with railway corporations in the regulation of freight rates? That commission has practically pronounced itself to be "a useless body without power to enforce the commerce act as a remedial statute" and asked for legislation. Have any of the fifteen specific recommendations along that line, made by the commission, been reported by your committee?

Mr. CORLISS. I do not remember all the bills that have been reported from our committee, but I can say that the subject-matter referred to has been under investigation by our committee, and I think some bills have been reported along that line. This is along the very line suggested by the gentleman. It is for the protection of the public, to acquire information, to determine whether or not employees on these transportation lines are engaged in working excessive hours, and whether proper safety appliances are used for the preservation of the lives of passengers as well as employees.

Mr. BALL. I understand that, but what I asked the gentleman from Michigan is this: The Interstate Commerce Commission was organized, as I understand it, under the commerce act to control freight rates and regulate the cost of transportation.

Now, the Supreme Court has decided that they have not that power. The Interstate Commerce Commission itself came to Congress two sessions ago declaring in effect that it was practically a useless body without power to enforce the purposes of the act under which it is organized. Has the gentleman's committee done anything to correct that difficulty?

Mr. CORLISS. I answered that question a few minutes ago, but I will ask the gentleman if he has introduced a bill looking to the correction of the evils complained of, or has he been before our committee asking the passage of any such bill? I will say that our committee have investigated these questions and that other bills looking to the correction of these various evils are being considered and reported from time to time, and this is one of them.

Mr. BALL. Numbers of bills have been introduced. It is the duty of the committee to act upon the recommendations of the commission and report a bill.

Mr. CORLISS. It is not our duty to introduce legislation in the House.

Mr. BAILEY of Texas. Mr. Speaker—

The SPEAKER. The gentleman from Kansas [Mr. RIDGELY] has been standing for some time, desiring recognition.

Mr. RIDGELY. Reserving the right to object, I want still further information. I notice that this bill as reported by the committee has amendments which strike out the vitality and force of the proposed legislation. I want to know if the gentleman would be willing to restore the provision that requires these reports to be made under oath? My reasons are these: I have communications from people who are vitally interested in this legislation, saying that unless the law requires the reports which are made to the Interstate Commerce Commission to be made under oath they will virtually be worthless.

Mr. CORLISS. In answer to that I will state that the Interstate Commerce Commission, who were communicated with with reference to this subject, stated that under the present law reports under oath are not required, but that they send out a printed form calling for reports under oath, and that reports under oath are submitted. I have no objection to the words "under oath" being put in, but the present law does not require it with reference to other facts that have to be reported to the Interstate Commerce Commission, and yet they have a form which they send to the railroads, and the officers of the railroad companies do send in these reports under oath. Yet the law does not require it. I have no objection to the words "under oath" being left in the bill, if the gentleman will offer that amendment.

Mr. RIDGELY. Then with the understanding that the requirement that these reports shall be made under oath is to be restored to the bill, I do not object.

Mr. BAILEY of Texas. I desire to know how the committee have met the difficulty of an accident occurring in the case of a train whose crew take possession of the engine and coaches at one point in the State and leave the coaches and engine at another point in the State. There is no such thing as interstate commerce as to the engine and the coaches. When a passenger takes a train in St. Louis to go to the State of Texas, he is the subject of interstate commerce. When they load a carload leaving St. Louis, and send it into the State of Iowa, that is interstate commerce; but if the train were to start at the city of St. Louis, or stopped at the city of Sedalia, and between those two towns an accident had occurred, Congress has no power to compel a report under oath or otherwise to the Interstate Commerce Commission.

Mr. CORLISS. The interstate-commerce act applies, and this law would apply, to all transportation lines engaged in interstate commerce.

Mr. BAILEY of Texas. Over the lines of a State.

Mr. CORLISS. If, however, there is a corporation, a railroad, wholly within the State of Texas, I do not think that this bill would apply.

Mr. BAILEY of Texas. It is engaged in interstate commerce.

Mr. CORLISS. If it is engaged in interstate commerce, and these railroads are engaged in such traffic, then this law will apply.

Mr. BAILEY of Texas. The gentleman is wholly in error. The M., K. and T. Railroad, beginning at the city of St. Louis and ending at the Gulf, in Texas, is engaged in interstate commerce, and yet whenever the M., K. and T. takes up a barrel of flour at Dallas and lays it down in the city of Galveston it is not a matter of interstate commerce, and the Federal Government is wholly powerless to regulate the freight or any other incident of its transportation.

Mr. CORLISS. The gentleman must admit that this is an advance of the law upon that subject beneficial to our people, and it seems to me it is not in the province of Congress to construe a law before we enact it, and I fail to see how you can incorporate anything in this bill that will control commerce wholly within State lines.

Mr. BAILEY of Texas. I believe the railroads ought to be made to report the cause of all accidents, but the State ought to require it, and they have ample power in that respect. Now, to my mind the difficulty is insurmountable that Congress can not require a railroad to report to the Interstate Commerce Commission an accident occurring in one of the States.

Mr. CORLISS. While that may be true, Mr. Speaker—

Mr. BAILEY of Texas. But if the committee has made an intelligent effort to surmount that difficulty, I should be entirely willing to see the bill become a law.

Mr. CORLISS. That is exactly the purpose of this act.

The SPEAKER. Is there objection?

Mr. MANN. Mr. Speaker—

Mr. BARTLETT. I think this is a very important bill. For one I propose to object to having it considered at this time of the session. I object.

The SPEAKER. Objection is made by the gentleman from Georgia.

Mr. MIERS of Indiana. I ask unanimous consent for the present consideration of the bill S. 1023.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PLATT, one of its clerks, announced that the Senate had receded from its amendment numbered 81 to the bill (H. R. 11212) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1901, and for other purposes.

The message also announced that the Senate had passed without amendment the bill (H. R. 11738) for the relief of William L. Orr.

The message also announced that the Senate had passed the following resolution:

Resolved, That the Senate still further insists upon its amendments to the bill (H. R. 10450) making appropriations for the naval service for the fiscal year ending June 30, 1901, and for other purposes, numbered 50, 51, 52, and 53, disagreed to by the House, and still further disagrees to the amendment of the House of Representatives to the amendment of the House to the amendment of the Senate numbered 58 with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "That the Secretary of the Navy is hereby authorized to procure, by contract, armor of the best quality for any or all vessels above referred to: *Provided*, Such contracts can be made at a price which, in his judgment, is reasonable and equitable; and in case he is unable to make contracts for armor now on above conditions he is hereby authorized and directed to procure a site for and to erect thereon a factory for the manufacture of armor, and the sum of \$4,000,000 is hereby appropriated toward the erection of said factory," had asked a further conference with the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. HALE, Mr. PERKINS, and Mr. TILLMAN as the conferees on the part of the Senate.

A further message from the Senate, by Mr. GILFREY, one of its clerks, announced that the Senate had passed without amendment the bill (H. R. 4915) to amend the seventh section of the act entitled "An act to establish circuit courts of appeals and to define and regulate in certain cases the jurisdiction of the courts of the United States, and for other purposes," approved March 3, 1891.

NAVAL APPROPRIATION BILL.

Mr. FOSS. Mr. Speaker, I desire to submit a conference report.

The SPEAKER. The gentleman from Illinois calls up the conference report on the naval appropriation bill. The Clerk will read the statement, if there is no objection, omitting the reading of the report.

The statement of the House conferees was read, as follows:

The managers on the part of the House of the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 10450) making appropriations for the naval service for the fiscal year ending June 30, 1901, and for other purposes, submit the following written statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report, namely:

The conferees, after a full and free conference on the matters of difference pending between the two Houses, have been unable to agree. The subjects still in disagreement are:

Amendment 9: The House amendment to the Senate amendment, which the House conferees were instructed to insist upon, is as follows:

In lieu of said amendment inserted by said amendment insert the following:

"Ocean surveys: For special ocean surveys and the publication thereof, and for charts, including freight and express charges on the same \$20,000."

Amendments 50, 51, 52, and 53: Relate to the commissioning of cadets at the Naval Academy.

Amendment 58: The House amendment to the Senate amendment, upon which the conferees were instructed to insist, is as follows:

"That the Secretary of the Navy is hereby authorized to procure by contract armor of the best quality for any or all vessels above referred to, provided such contracts can be made at a price which in his judgment is reasonable and equitable; but in case he is unable to make contracts for armor under the above conditions, he is hereby authorized, in his discretion, to procure a site for and to erect thereon a factory for the manufacture of armor, and the sum of \$4,000,000 is hereby appropriated toward the erection of said factory."

GEORGE EDMUND FOSS,
ALSTON G. DAYTON,
AMOS J. CUMMINGS,
Managers on the part of the House.

Mr. FOSS. Mr. Speaker, I move that the House insist upon its

own amendment to the Senate amendment No. 9, with reference to ocean and lake surveys.

The SPEAKER. The gentleman from Illinois moves that the House insist upon its amendment to the Senate amendment numbered 9.

The question was taken; and the motion was agreed to.

Mr. FOSS. Now, Mr. Speaker, I move that the House insist upon its disagreement to the Senate amendments 50, 51, 52, and 53.

The SPEAKER. The gentleman from Illinois also moves that the House further insist on its amendments from 50 to 53, inclusive.

Mr. UNDERWOOD. Mr. Speaker, I would like to ask the gentleman to state what these amendments are.

Mr. FOSS. These amendments are in reference to commissioning cadets at the Naval Academy at the end of four years instead of at the end of six years, as now.

Mr. BAILEY of Texas. All four of them relate to the same question?

The question was taken; and the motion was agreed to.

Mr. FOSS. Now, Mr. Speaker, I call up Senate amendment numbered 58, to which the Senate has but a few moments ago agreed with an amendment, and I ask for the reading of the amendment.

The SPEAKER. The Clerk will read the amendment.

The Clerk read as follows:

In lieu of the matter inserted by said amendment insert the following:

"That the Secretary of the Navy is hereby instructed to procure by contract armor of the best quality for any and all vessels above referred to, provided such contracts can be made at a price which in his judgment is reasonable and equitable; but in case he is unable to make contracts for armor under the above conditions, he is hereby authorized, in his discretion, to procure a site for and to erect thereon a factory for the manufacture of armor, and the sum of \$4,000,000 is hereby appropriated toward the erection of said factory."

Mr. FOSS. I will ask, Mr. Speaker, if that amendment that the Clerk read follows the word "provided."

The SPEAKER. That word occurs in the third line of the first page.

Mr. FOSS. I will state, for the information of the House, that the Senate, after an exhaustive debate which it has just concluded by a close vote, has practically agreed to the House proposition upon armor plate [applause], with this exception, that instead of the words "in his discretion," applicable to the Secretary of the Navy, the words "and directed" are used, making it mandatory upon the Secretary of the Navy, in case he can not secure armor for any or all of the vessels at a reasonable price, to select a site and erect thereon an armor-plate factory.

Mr. KITCHIN. I would like to ask the gentleman a question.

Mr. FOSS. I will yield to the gentleman from North Carolina.

Mr. KITCHIN. I want to ask the gentleman if both the amendment of the House and the amendment of the Senate to that amendment do not leave the price to be paid for this armor plate altogether within the discretion of the Secretary of the Navy?

Mr. FOSS. It leaves it to his judgment.

Mr. KITCHIN. Without any limitation being fixed by Congress?

Mr. FOSS. Without any limitation.

Mr. KITCHIN. Under that the Secretary of the Navy could proceed to contract for 31,000 tons of armor plate now in sight.

Mr. FOSS. Yes; for any or all the vessels. It leaves it entirely within the discretion of the Secretary to contract for one or several vessels.

Mr. KITCHIN. The amount now in sight is something over 81,000 tons. Am I not correct?

Mr. FOSS. Taking into consideration the armor that will be necessary for the ships authorized under the present act.

Mr. KITCHIN. The Maine, Ohio, and Missouri?

Mr. FOSS. Yes, and those authorized last year.

Mr. KITCHIN. I will ask the gentleman if this is not a complete change of policy heretofore adopted by Congress to limit armor plate?

Mr. FOSS. I will state that up to the year 1897 this matter was left to the discretion of the Secretary of the Navy. In the year 1897 there was a provision placed in the naval appropriation bill limiting it to \$300 a ton. By reason of that provision, which came from the Senate, the construction of our ships were held up for that year. In 1898 there was a provision placed on the appropriation bill that the Secretary could buy armor at a price not to exceed \$400, and the armor-plate manufacturers acceded to that. But last year there was a provision placed on the bill by the Senate providing that armor plate could not be purchased at a price exceeding \$300 per ton. That has held up the construction of the ships for the last twelve months.

Up to 1897 the policy has been to leave the matter to the discretion of the Secretary of the Navy. During the two years above mentioned, by reason of the amendments which have been placed on the naval bill which has come from the Senate and which the House has accepted because it does not wish to delay adjournment,

our ships have been held up. We have authorized ships in our naval appropriation bill year after year, but over here on the next page there has been a provision put in the naval bill which the House has been forced to accept which practically tied up the construction of our ships. The House conferees this year are in favor of a navy not upon paper but upon the sea, and consequently they insisted upon the House provision. I think, Mr. Speaker, this means much for the American Navy.

Mr. RIDGELY. Will the gentleman permit a question?

Mr. FOSS. I will.

Mr. RIDGELY. I understand the only limit is a reasonable price in the judgment of the Secretary of the Navy?

Mr. FOSS. Yes.

Mr. RIDGELY. The gentleman has recited the fact that Congress has heretofore authorized the construction of naval vessels, but that we have failed to supply the armor plate by reason of difference of judgment between ourselves and the Senate and the final limitation of price, which has prevented the purchase. Now, in view of these reports which amount almost to obstruction to the completion of the naval vessels, does not the gentleman think that the provision in relation to an armor-plate factory should be mandatory, regardless of price?

Mr. KITCHIN. Will the gentleman from Illinois [Mr. Foss] yield to me five minutes?

Mr. FOSS. I want to get this matter back to conference. I move that the House concur in the amendment.

Mr. LIVINGSTON. I ask the privilege of making an inquiry of the gentleman from Illinois.

Mr. FOSS. I yield to the gentleman.

Mr. LIVINGSTON. Are there not only two armor-plate factories in this country, both in one combine; and will not the Secretary of the Navy be forced, under the phraseology "reasonable price," to take the armor plate from that combine at any price?

Mr. FOSS. The provision which we report puts the matter of price in the discretion of the Secretary of the Navy, or rather it makes it mandatory upon him to build an armor-plate factory in case he can not get armor plate from private manufacturers at a reasonable price.

Mr. UNDERWOOD. I desire to say to the gentleman from Illinois that there are many of us on this side of the House who have always been opposed to this proposition. The gentleman has brought his conference report before the House and has made his statement as to why it should be concurred in. Now, I do not believe that the gentleman will force a vote on this proposition at this time without allowing at least as much latitude of debate in opposition to the proposition as he has already indulged in in favor of it. [Cries of "Vote!" "Vote!"]

Mr. FOSS. I am anxious to get the bill back to conference. How much time does the gentleman want?

Mr. UNDERWOOD. The gentleman's colleague on the committee [Mr. KITCHIN] was asking time when the gentleman from Illinois proposed to bring the debate to a close. I think the statement of the opposition ought to be heard.

Mr. KITCHIN. I have asked for only five minutes.

Mr. FOSS. I yield the gentleman five minutes.

Mr. KITCHIN. Mr. Speaker, the gentleman from Illinois in charge of the bill before the House says that he is in favor of building a navy that will be upon the sea and not upon paper. Certainly he does not intend to intimate that any member on this side of the House is in favor of a navy merely upon paper? Every member who believes in taking steps to reduce the price of armor plate or else building a Government factory is in favor of building a navy which will be upon the sea. No intimation like that can affect us in any manner. I do not believe the gentleman desires to put us in a false light, and certainly he can not charge that we are in favor of building a navy only upon paper.

We take the position that in a matter of this importance this great question of policy should not be left to the discretion of any one man; that the judgment of the House of Representatives and of the Senate of the United States ought to be taken on these questions; that we should not leave this great discretion to the Secretary of the Navy.

Before the Government in its legislation limited the price of armor plate the Government paid over \$600 a ton for it. After the Government limited the price we got armor plate cheaper. We got it as low as \$400 per ton for Harveyized plate. Now they are demanding \$545 per ton for Krupp armor. What assurance have we that the Secretary of the Navy will not continue to pay \$545 per ton for this armor plate? This measure gives him the power to purchase at any price which to him may seem reasonable.

This fight has been growing. This question has been agitated now for some time. The gentleman speaks of obstructing the building of a navy. The reason it has been obstructed, if at all, is that we have been unable to get this armor plate at prices which the Congress of the United States thought reasonable. I say to the gentleman that if he wants to remove obstructions—if he

wants to remove their cause—then let him join with us in putting into this bill before it is signed by the President a proposition requiring the building of an armor-plate factory, unless we can get this armor at \$445 per ton, which we think is at this time reasonable. Once your Government armor-plate factory is established, and never again will you have occasion to say that the difficulties about procuring armor plate have held up the construction of the Navy. If you desire to remove obstructions, then you ought to put in this bill words limiting the price of armor plate and requiring the Secretary of the Navy to erect forthwith an armor-plate factory, unless he can secure armor plate for that price.

Again, I think it bad policy to allow the Secretary of the Navy to contract now for the armor plate we shall need in the next five or seven years. He ought to be limited to contracting for armor plate that we shall need, say, in the next two years. The Congress that will follow us should be allowed to say, when it shall be in power, whether it will instruct the Secretary of the Navy further upon this matter.

Suppose the Secretary of the Navy should go and buy now when the prices of metal, iron and steel, are high; suppose he should give \$545 per ton for 31,000 tons of armor, the amount necessary for ships now authorized; what guaranty have we that within five years from now, or three years from now, we could not get it cheaper, if the contract had not been made?

It is contrary to the principles of our legislative history to confer upon the Secretary of the Navy this unlimited and interminable power. Congress should exercise its judgment upon these large matters. Adopt this measure and never can we deprive the Secretary of this great power hereafter, without a new law passing both Houses and meeting the approval of the President under whom the Secretary will be acting.

Mr. Speaker, we who approve the pending motion desire to let the people know by the record to-day made that we will never approve intrusting this great power to any one man.

So for these reasons, Mr. Speaker, I, for one, think that the House ought not to agree to either of these amendments, but should take some immediate steps looking to a very substantial decrease in the price of armor plate, or, failing to secure that, to proceed at once to erect its own plant for manufacturing the armor plate required for our war vessels. We prefer to buy at fair prices, but failing to get reasonable prices, the limit of which should be inserted in the bill, we insist upon directing the building of a factory as the last and sure resort against the extortionate prices which, in my opinion, are demanded for armor plate. [Applause on the Democratic side.]

Mr. FOSS. Mr. Speaker, I yield five minutes to the gentleman from New York [Mr. CUMMINGS].

Mr. CUMMINGS. Mr. Speaker, I protest against being placed in the apparent attitude of opposing the increase of the American Navy by my own party. [Applause.] Year after year we have authorized ships for the Navy without providing for their construction until we now have more battle ships authorized and uncompleted than we have afloat on the ocean.

The time has come, in my judgment, when the country expects both parties to accept the situation. It demands a real increase in the Navy; not one that authorizes the building of ships, but one that requires and provides for their construction without delay. This agreement hits the nail on the head. It is virtually the House proposition. The House has twice, by a yeo-and-nay vote, virtually demanded it. Its conferees have simply obeyed its orders. They have strenuously maintained the attitude of the House, and have won a victory unparalleled in the annals of conference committees. It will not do to cavil at the power conferred upon the Secretary of the Navy. The same power was conferred upon that great Democratic Secretary, William C. Whitney, by a Democratic Congress, and under this power thus conferred the American Navy has acquired its present standing among the nations of the world.

I trust the House, now that its conferees, in obedience to its own request, twice expressed by a yeo-and-nay vote, have won the victory—that the members, without regard to party, will stand by its conferees and direct them to accept the Senate amendment. [Applause.]

Mr. FOSS. Mr. Speaker, I move that the House concur in the Senate amendment.

The question was taken; and on a division (demanded by Mr. UNDERWOOD) there were—aye 133, noes 73.

Mr. UNDERWOOD. I demand the yeas and nays.

The yeas and nays were not ordered, 39 members only voting in favor thereof.

Mr. BAILEY of Texas. Mr. Speaker, I demand tellers on the demand for the yeas and nays.

Tellers were ordered.

The SPEAKER announced the appointment of Mr. UNDERWOOD and Mr. Foss as tellers.

The House divided; and 65 members having voted in favor thereof, the yeas and nays were ordered.

The question was taken; and there were—yeas 154, nays 96, answered “present” 17, not voting 84; as follows:

YEAS—154.

Acheson, Driggs, Lacey, Ransdell,
Adams, Driscoll, Landis, Ray,
Aldrich, Eddy, Lane, Reeder,
Alexander, Esch, Lassiter, Reeves,
Bailey, Kans. Faris, Lawrence, Roberts,
Baker, Fletcher, Levy, Rodenberg,
Barber, Fordney, Littauer, Russell,
Barney, Foss, Littlefield, Salmon,
Bingham, Fowler, Long, Scudder,
Boeing, Gardner, Mich. Loud, Shattuck,
Boutell, Ill. Gardner, N. J. Loudenslager, Showalter,
Bowerstock, Gaston, Lovering, Sibley,
Bradley, Gibson, Lybrand, Smith, H. C.
Brick, Gill, McCall, Smith, Samuel W.
Broesius, Gillet, N. Y. McCleary, Spalding,
Brown, Glynn, Marsh, Steele,
Brownlow, Gordon, Meekison, Stevens, Minn.
Burke, S. Dak. Graff, Mercer, Stewart, N. Y.
Burkett, Graham, Meyer, La. Stewart, Wis.
Burleigh, Green, Pa. Miller, Sullivan,
Burton, Greene, Mass. Minor, Sulzer,
Butler, Grosvener, O'Grady, Tawney,
Calderhead, Grout, Mondell, Taylor, Ohio
Cannon, Graw, Moody, Mass. Thomas, Iowa
Clarke, N. H. Hall, Moody, Oreg. Thropp,
Clayton, N. Y. Hamilton, Morgan, Tompkins,
Cousins, Haugen, Mudd, Underhill,
Crooner, Hawley, Needham, Van Voorhis,
Crump, Hedge, O'Grady, Vreeland,
Crumpacker, Hemenway, Olmsted, Wachter,
Cummings, Hepburn, Otjen, Warner,
Cartis, Hill, Overstreet, Waters,
Dahle, Wis. Hitt, Packer, Pa. Watson,
Dalsell, Hoffecker, Hopkins, Parker, Mo. Weaver,
Davenport, S. W. Howell, Payne, Wise,
Davey, Jack, Pearce, Mo. Wright,
Dayton, Jones, Wash. Polk, Young.
Dick, Kahn, Pugh,

NAYS—96.

Bailey, Tex. De Graffenreid, Lentz, Ryan, N. Y.
Ball, Do Vries, Lewis, Shackford,
Bartlett, Denny, Little, Shafrroth,
Bell, Dinsmore, Livingston, Sheppard,
Bellamy, Dougherty, Lloyd, Sims,
Benton, Elliott, McLellan, Smith, Ky.
Brantley, Finley, McBain, Snodgrass,
Breezeale, Fitzgerald, Mass. McRae, Sparkman,
Brewer, Fitzgerald, N. Y. Maddox, Stallings,
Brundidge, Fitzpatrick, Mann, Stark,
Burleson, Fleming, Miers, Ind. Stephens, Tex.
Burnett, Foster, Moon, Stokes,
Caldwell, Gaines, Norton, S. C. Swanson,
Carmack, Gilbert, Norton, S. C. Taylor, Ala.
Chanler, Griggs, Otey, Ithaca, Ky.
Clark, Mo. Beury, Miss. Henry, Tex. Rhon, Va.
Clayton, Ala. Howard, Richardson, Thomas, N. C.
Cochran, Mo. Jett, Ridgely, Tongue,
Cooper, Tex. Johnston, Riordan, Underwood,
Cox, Jones, Va. Kitchin, Robinson, Nebr. Williams, J. R.
Crowley, Kleberg, Klutts, Rucker, Williams, Miss.
Cushman, Klutts, Ruppert, Zenor, Wilson, Idaho
Davis, Klutts, Ziegler.

ANSWERED “PRESENT”—17.

Bankhead, Henry, Conn. Naphen, Wanger,
Bishop, King, Smith, Wm. Alden Weymouth.
Bromwell, Lamb, Southard,
Capron, McAleer, Stewart, N. J.
Hay, Morris, Tate,

NOT VOTING—84.

Adamson, Cowherd, Latimer, Robinson, Ind.
Allen, Ky. Cusack, Lester, Ryan, Pa.
Allen, Mo. Daly, N. J. Linney, Sheldon,
Allen, Miss. Davenport, S. A. Lorimer, Sherman,
Atwater, Davidson, McCulloch, Slayden,
Babcock, Dovener, McDowell, Small,
Barham, Emerson, Mahon, Smith, Ill.
Bartholdt, Fox, May, Sperry,
Berry, Free, Metcalf, Spight,
Boutelle, Me. Gamble, Muller, Sprague,
Brenner, Gayle, Newlands, Talbert,
Broussard, Gillett, Mass. Noonan, Thayer,
Bull, Griffith, Norton, Ohio Turner,
Burke, Tex. Heatwole, Pearson, Vardiver,
Campbell, Jenkins, Phillips, Wadsworth,
Catchings, Joy, Pierce, Tenn. Weeks,
Cochrane, N. Y. Kerr, Powers, Wheeler, Ky.
Connell, Cooney, Ketcham, Prince, White,
Cooper, Wis. Knox, Quarles, Williams, W. E.
Corliss, Lanham, Robertson, La. Rob., Wilson, N. Y.
Wilson, S. C.

So the motion to concur in the Senate amendment was agreed to.
The following pairs were announced:

Until further notice:

Mr. MORGAN with Mr. VANDIVER.

Mr. HEATWOLE with Mr. TATE.

Mr. BABCOCK with Mr. KING.

Mr. SHERMAN with Mr. PIERCE of Tennessee.

Mr. METCALF with Mr. WHEELER of Kentucky.

Mr. BROMWELL with Mr. McDOWELL.

Mr. WANGER with Mr. ADAMSON.

Mr. WM. ALDEN SMITH with Mr. WILSON of South Carolina.
Mr. MAHON with Mr. MAY.

Mr. PHILLIPS with Mr. LATIMER.

Mr. JOY with Mr. LESTER.

Mr. PEARSON with Mr. MULLER.

Mr. GAMBLE with Mr. CUSACK.

Mr. SHELDON with Mr. ATWATER.

Mr. LORIMER with Mr. LAMB.

Mr. HENRY of Connecticut with Mr. ALLEN of Kentucky.

Mr. GILLETT of Massachusetts with Mr. BRENNER.

Mr. SAMUEL W. SMITH with Mr. QUARLES.

Mr. FREER with Mr. COONEY.

Mr. EMERSON with Mr. TALBERT.

Mr. COOPER of Wisconsin with Mr. NOONAN.

Mr. CORNELL with Mr. FOX.

Mr. PRINCE with Mr. GRIFFITH.

Mr. SMITH of Illinois with Mr. SPIGHT.

Mr. LINNEY with Mr. ROBE.

Mr. BOUTELLE of Maine with Mr. ROBERTSON of Louisiana.

Mr. SPRAGUE with Mr. ROBINSON of Indiana.

Mr. JENKINS with Mr. GAYLE.

Mr. WICKS with Mr. BURKE of Texas.

Mr. BISHOP with Mr. CAMPBELL.

Mr. POWERS with Mr. BANKHEAD.

Mr. SPERRY with Mr. COWHERD.

Mr. WEYMOUTH with Mr. BROUSSARD.

Mr. DOVENER with Mr. CATCHINGS.

Mr. BULL with Mr. NAPHEN.

Mr. MORRIS with Mr. McCULLOCH.

Mr. SOUTHARD with Mr. NORTON of Ohio.

Mr. STEWART of New Jersey with Mr. MCALLEN.

Mr. BARHAM with Mr. TURNER.

Mr. CAPRON with Mr. SLAYDEN.

Mr. LAMB. Mr. Speaker, I am paired with the gentleman from Illinois, Mr. LORIMER, and I desire to withdraw my vote and to be recorded “present.”

Mr. HAY. I am paired with the gentleman from Iowa, Mr. HULL, and I desire to withdraw my vote and to be recorded “present.”

Mr. TATE. I am paired with the gentleman from Minnesota, Mr. HEATWOLE. I desire to withdraw my vote and to be recorded “present.”

Mr. KING. I understand that I am paired with the gentleman from Wisconsin, Mr. BABCOCK. I voted, and I desire to withdraw my vote and to be recorded “present.”

Mr. WANGER. Being paired with the gentleman from Georgia, Mr. ADAMSON, I ask to withdraw my vote and to be recorded “present.”

Mr. RIDGELY. I desire to know if the gentleman from Maryland, Mr. BAKER, voted?

THE SPEAKER. He did.

Mr. RIDGELY. All right.

The result of the vote was announced as above recorded.

Mr. FOSS. I move that the House agree to the conference asked for by the Senate.

The motion was agreed to; and the Speaker announced as conferees on the part of the House Mr. FOSS, Mr. DAYTON, and Mr. CUMMINGS.

VIEWS OF THE MINORITY ON HOUSE BILL 8917.

Mr. TERRY. Mr. Speaker, on yesterday the bill H. R. 8917, introduced by the gentleman from Kansas [Mr. RIDGELY] was reported from the Committee on the Judiciary with certain amendments. I have not been able to see a copy of the report, and at this late hour in the session it will be impossible to do so before the session closes. I ask unanimous consent that time be granted until the third day of the next session to prepare and file the views of the minority, if they see proper to present them then.

THE SPEAKER. The gentleman from Arkansas asks unanimous consent of the House that the minority may have an opportunity to file their views on the bill H. R. 8917, having until the third day of the next session to do the same.

Mr. PAYNE. What is the title of the bill?

Mr. TERRY. It is a bill in regard to injunctions. It was reported on yesterday by the Committee on the Judiciary.

Mr. PAYNE. Oh, Mr. Speaker, I think the views of the minority ought to be filed within a reasonable time.

Mr. TERRY. When we break up here I can not get the members of the minority together to fix up a report. The report was adopted at a time when we did not know there was anything of the kind going to be done.

Mr. PAYNE. I wish the gentleman would let it go over until after the recess, when the chairman of the Judiciary Committee is here.

Mr. TERRY. I am asking that it go over until the next session of Congress. I can not get the members of the minority of the committee together.

Mr. PAYNE. I think the request had better go over until this evening.

The SPEAKER. The gentleman from New York objects to its consideration now.

Mr. PAYNE. The gentleman can bring it up after the recess. I move that the House now take a recess until 8 o'clock this evening.

The motion was agreed to.

Accordingly (at 5 o'clock and 2 minutes p. m.) the House took a recess until 8 o'clock p. m.

EVENING SESSION.

The recess having expired, the House (at 8 o'clock p. m.) resumed its session.

Mr. CANNON. Mr. Speaker, as there is nothing before the House at this moment, I should like to have unanimous consent for ten minutes to make a statement, and it is a bare statement, of the appropriations for this session.

The SPEAKER. The gentleman from Illinois desires unanimous consent to have ten minutes' time to make a statement about appropriations. Is there objection?

Mr. RICHARDSON. Mr. Speaker, I suppose there will be no objection to the same length of time being given to this side of the House?

Mr. CANNON. Not at all.

Mr. RICHARDSON. With that understanding, I think there will be no objection.

The SPEAKER. And ten minutes' time on the other side of the House is requested.

Mr. LENTZ. I shall also ask ten minutes' time to state why I am insisting on the printing of the Cœur d'Alene testimony, and unless it is granted at the same time, I shall object.

The SPEAKER. Objection is made by the gentleman from Ohio [Mr. LENTZ].

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PLATT, one of its clerks, announced that the Senate had passed bill and joint resolutions of the following titles; when the Speaker signed the same:

S. 4756. An act directing the issue of a duplicate of lost check drawn by James B. Quinn, major, Corps of Engineers of the United States Army, in favor of Henry L. Bremerman;

S. R. 132. Joint resolution authorizing foreign exhibitors at the Pan-American Exposition to be held in Buffalo, N. Y., in 1901 to bring to this country foreign laborers from their respective countries for the purpose of preparing for making other exhibits, under regulations prescribed by the Secretary of the Treasury; and

S. R. 131. Joint resolution authorizing foreign exhibitors at the Ohio Centennial and Northwest Territory Exposition to be held in Toledo, Ohio, in 1902 to bring to this country foreign laborers from their respective countries for the purpose of preparing for and making their exhibits, under regulations prescribed by the Secretary of the Treasury.

The message also announced that the Senate had passed without amendment bills of the following titles:

H. R. 9308. An act granting an increase of pension to Joseph M. Shaw;

H. R. 9237. An act granting an increase of pension to Robert J. Carr;

H. R. 3686. An act granting a pension to James A. Tulloss;

H. R. 7483. An act for the relief of James T. Ellis, of Rankin County, Miss.;

H. R. 5355. An act for the relief of John D. Hill, of Tilford, Meade County, S. Dak.; and

H. R. 437. An act granting a pension to Mary E. Reynolds.

The message also announced that the Senate had passed the bill (S. 4787) to authorize the appointment of Thomas Lutz Stitt as an officer in the Navy.

PAN-AMERICAN EXPOSITION, BUFFALO, N. Y.

The SPEAKER. The Chair lays before the House a Senate joint resolution, a corresponding House resolution being on the Calendar.

The Clerk read as follows:

Joint resolution (S. R. 132) authorizing foreign exhibitors at the Pan-American Exposition, to be held in Buffalo, N. Y., in 1901, to bring to this country foreign laborers from their respective countries for the purpose of preparing for and making their exhibits under regulations prescribed by the Secretary of the Treasury.

Resolved, etc., That the act of Congress approved February 28, 1885, prohibiting the importation of foreigners under contract to perform labor, and the acts amendatory of these acts, shall not be construed, nor shall anything therein operate to prevent, hinder, or in any wise restrict any foreign exhibitor, representative, or citizen of a foreign nation, or the holder of any concession or privilege from the Pan-American Exposition Company, of Buffalo, N. Y., from bringing into the United States, under contract, such mechanics, artisans, agents, or other employees, natives of foreign countries, as they or any of them may deem necessary, subject to approval in each case of the Secretary of the Treasury, for the purpose of making preparations for

installing or conducting their exhibits, or of preparing or installing or conducting any business authorized or permitted under or by virtue of or pertaining to any concession or privilege which may have been granted by the Pan-American Exposition Company, of Buffalo, N. Y., in connection with such exposition: *Provided*, however, That any alien who, by virtue of this act, enters the United States under contract to perform labor, may not remain in the United States for more than three months after the close of the exposition, and he shall thereafter be subject to all the processes and penalties applicable to aliens coming in violation of the alien contract labor law aforesaid: *And provided further*, That this resolution shall not be construed as applying to the acts of Congress prohibiting the coming of Chinese persons into the United States.

Mr. CANNON. What is that? Is this for consideration?

The SPEAKER. This is for consideration now, and is in order under the rules.

Mr. CANNON. Will the gentleman yield to me for ten minutes?

Mr. ALEXANDER. Certainly.

Mr. LENTZ. A parliamentary inquiry, Mr. Speaker.

The SPEAKER. The gentleman will state it.

Mr. LENTZ. I understand that this would require unanimous consent.

The SPEAKER. It does not. It is in order now, and the gentleman from New York, who has control of it, yields ten minutes to the gentleman from Illinois. [Loud applause.]

Mr. CANNON. Mr. Speaker, the appropriations made by the first session of the Fifty-sixth Congress amount in round numbers to \$709,000,000. This includes permanent appropriations.

Mr. LENTZ. Mr. Speaker, I make the point that the gentleman is not addressing himself to the subject before the House, and unless I can have ten minutes to speak on the Cœur d'Alene investigation, I shall insist on the point of order.

The SPEAKER. The gentleman has not advanced so that the Chair can determine the point of order, and overrules the point of order for the present.

Mr. CANNON. Mr. Speaker, I never deal double with this House under its rules, if I know it. I am frank to say, while perhaps by torturing the rule I might bring myself within it, I had no intention to discuss the matter now before the House. It is the usual ten or twenty minute statement for the benefit of the House, and incidentally for the country, and the gentleman objects.

Mr. LENTZ. I object, unless I can have ten minutes for the benefit of the country to state why your side fears to print the whole truth in the Cœur d'Alene case.

The SPEAKER. The gentleman will be in order.

Mr. CANNON. Fortunately, in spite of him and his objection, I have unanimous consent to print, and I will avail myself of that consent and place this in the RECORD, which I would have been glad to have read to the House.

Mr. DE GRAFFENREID. Go on and speak it.

Mr. RICHARDSON. Mr. Speaker—

Mr. CANNON. I will not do it.

Mr. LIVINGSTON. Mr. Speaker—

Mr. RICHARDSON. I rose simply to ask—

Mr. LIVINGSTON. I want to make an appeal, Mr. Speaker, to the House to give the gentleman unanimous consent, and I want to follow. I make an appeal to the House to give myself, another member of the same committee, the same privilege, and the two statements will not occupy more than fifteen minutes—I do not suppose more than seven or eight minutes apiece—and I hope the gentleman from Ohio will not object.

The SPEAKER. The gentleman from Georgia asks unanimous consent that the gentleman from Illinois and himself have fifteen minutes between them to discuss appropriations. Is there objection?

Mr. LENTZ. I appeal to the House for the same privilege on the Cœur d'Alene matter, and unless it is granted I object.

The SPEAKER. Objection is made, and the question is on the third reading of the Senate joint resolution.

Mr. HEPBURN. Mr. Speaker, I desire to discuss this bill a moment, if you please.

Mr. CANNON. Mr. Speaker, the appropriations made by the first session of the Fifty-sixth Congress amount to \$709,729,476.89. This sum includes \$131,247,155.32 estimated to be on account of or incident to the late war with Spain, and deducting it, the remaining amount, \$578,482,321.57, represents the ordinary appropriations made for the support of the Government during this session.

I will embody as a part of my remarks statements showing:

I. Appropriations, fiscal years 1897, 1898, 1899, 1900, and 1901, made by the Fifty-fourth and Fifty-fifth Congresses, and at the first session of the Fifty-sixth Congress;

II. Appropriations made at the two regular sessions of the Fifty-fifth Congress, and at the first session of the Fifty-sixth Congress on account of or incident to the war with Spain; and

III. A chronological history of the appropriation bills, first session of the Fifty-sixth Congress.

Referring to the first statement, it will be observed that after

deducting the amounts estimated to have been appropriated on account of or incident to the war with Spain for the ensuing, the current, and the last fiscal years, which cover the period since the beginning of the Spanish war, the appropriations for the five fiscal years (including the two immediately preceding the war) are as follows:

1897.....	\$515,845,194.57
1898.....	528,735,079.30
1899.....	532,371,688.29
1900.....	554,278,866.08
1901.....	578,482,321.57

This shows an apparent excess in the ordinary appropriations at this session for the fiscal year 1901 of \$49,747,342.27 over the appropriations for the fiscal year 1898, which immediately preceded the Spanish war. The chief increases in ordinary appropriations for 1901 over those for 1898 that more than make up this total increase are as follows:

For the Department of Agriculture, including an increase of \$325,000 for the Bureau of Animal Industry and \$175,000 for the Weather Service.....	\$840,598.00
For increase of the Navy.....	7,081,916.00
For payment of pensions.....	3,931,350.00
For the postal service, exclusive of service in newly acquired territory.....	17,782,900.00
By the sundry civil act:	
Expenses of the Twelfth Census.....	9,000,000.00
Expenses of Light-House Establishment.....	453,400.00
Prevention of epidemic diseases.....	500,000.00
For armories and arsenals.....	945,308.01
For military posts.....	580,000.00
For Volunteer Soldiers' Homes, including aid to State Homes.....	648,354.00
For public printing and binding.....	980,000.00
For new Government Printing Office building.....	775,000.00
By permanent appropriations (including \$2,000,000 for requirements of sinking fund and \$4,000,000 for redemption of national-bank notes).....	6,634,000.00
Total.....	50,202,826.01

These increases in Federal appropriations need no defense and but a word of explanation.

The amount for the Department of Agriculture is only a proper compliance with the natural demands of the agricultural interests of the country.

For pensions the amount simply represents the natural increase of the pension roll.

For the increase of the Navy the excess over the appropriations of 1898 is necessary for the construction, armor, armament, and equipment of battle ships, cruisers, gunboats, and torpedo boats heretofore authorized, and is no more than is absolutely necessary toward placing the Navy expeditiously in the proper condition, universally demanded by the people, for the national defense.

The largest single item of increase is that for the postal service, \$17,782,900. It represents the progress and development of the times. Its very largeness is a source of congratulation, for it typifies the prosperity and commercial expansion now enjoyed by our country, equal if not beyond that of any other period in our history.

The Twelfth Census is provided for as required by the Constitution, and is an expense incurred but once in ten years.

The Light-House Establishment constitutes the chief governmental aid to the maritime interests of the country, and the increase in the amount for its support is to meet the legitimate requirements of the service.

For the prevention of epidemic diseases an increase of \$500,000 is given, in order to protect the country against the introduction

of yellow fever, cholera, the bubonic plague, and other similar diseases.

The amount for armories and arsenals is in order to increase the facilities of the Springfield Arsenal and to fully equip the Rock Island Arsenal for the production of small arms for the Army.

For military posts the increase is wholly on account of providing proper quarters for the artillery troops in charge of our new seacoast fortifications.

The number of those entitled to and requiring the shelter and support of the National Home for Disabled Volunteer Soldiers and of State homes annually increases, and the proper amount is given to this beneficent branch of the public service.

For printing and binding there appears to be an increase of \$980,000. In fact, the actual increase over the appropriations for 1898 is only \$680,000, for in the appropriations made for 1899 a deficiency of \$300,000 was provided for this service on account of the fiscal year 1898. Much of the actual increase is attributable to the increased volume of business in the Treasury, War, and Navy Departments, incident to the war with Spain, although no part of it is included in the table which I submit of increased appropriations on account of the war.

At the last session of Congress a new Government Printing Office building was authorized to be constructed. Its total cost will be \$2,429,000, toward which, including the amount given this session, the sum of \$1,125,000 has been appropriated.

Under permanent appropriations, aside from \$6,000,000 for interest on the war loan, two considerable increases appear—one for \$4,000,000 for redemption of circulating notes of national banks, out of funds deposited with the Treasury for that purpose, the transaction being purely one of bookkeeping and in no way affecting the public funds. The amount of estimated redemptions out of bank funds is simply \$4,000,000 greater than in 1898, and by process of bookkeeping that amount is added to the appropriations for 1901.

An increase of \$2,000,000 is made in the amount estimated to meet the requirements of the sinking fund for 1901 over the sum estimated and included in the appropriations for 1898. This increase is on account of the Spanish war loan of \$200,000,000. During the current fiscal year and for the first time since the close of the fiscal year 1891 the redemptions and payments on account of the sinking fund will probably exceed the requirements of \$53,000,000. For the eight fiscal years from 1892 to 1899, inclusive, the deficiency in the sinking fund, or failure to meet its full requirements, amounted to \$348,603,761.36. The depressing effects of the election of 1892 and the unfriendly character of the legislation to the industrial interests of the country that followed resulted, notwithstanding Mr. Cleveland borrowed during his last term \$293,454,286, in a condition of the Treasury which accounts for the large default or deficiency in the sinking fund during the years named.

The total redemption of the public debt, outside of the requirements of the sinking fund prescribed by the act of February 25, 1862, amounted at the close of the fiscal year 1891 to \$900,510,681.49, or to \$641,906,920.13 more than the whole deficiency occasioned in the sinking fund since 1891.

The approximate amounts, as nearly as they can be arrived at, appropriated on account of or incident to the war with Spain, during each of the three sessions of Congress held since the beginning of that war, are set forth in the statement referred to. The amounts thus appropriated during the two sessions of the last Congress, covering the period to the close of the fiscal year 1900, aggregate \$482,562,083.47. Of this whole sum it is estimated by the Treasury Department that to June 30 instant the total expenditures will not exceed \$392,000,000, leaving a surplus of \$90,000,000, after meeting outstanding obligations, to be covered into the Treasury. Thus for the conduct of that momentous war and its resultant effects, Congress amply made appropriations, and the Administration has wisely and prudently made expenditures from the liberal sums thus placed at its disposal.

I.—Appropriations, fiscal years 1897, 1898, 1899, 1900, and 1901, made by the Fifty-fourth and Fifty-fifth Congresses and at the first session of the Fifty-sixth Congress.

Title.	Fifty-sixth Congress, first session, fiscal year 1901.	Fifty-fifth Congress.		Fifty-fourth Congress.	
		Fiscal year 1900.	Fiscal year 1899.	Fiscal year 1898.	Fiscal year 1897.
Agriculture.....	\$4,023,500.00	\$3,726,022.00	\$3,509,202.00	\$3,182,902.00	\$3,255,532.00
Army.....	*114,280,065.53	*80,430,204.06	23,193,362.00	23,120,344.80	23,278,402.73
Diplomatic and consular.....	1,771,108.76	1,714,533.76	1,752,208.76	1,695,308.76	1,642,558.76
District of Columbia.....	7,570,809.31	6,834,535.77	6,426,880.07	6,186,991.06	5,900,319.48
Fortification.....	7,283,628.00	4,909,902.00	*9,377,494.00	9,517,141.00	7,377,888.00
Indian.....	8,198,059.24	7,504,775.81	7,673,854.90	7,674,120.89	7,390,496.79
Legislative, executive, and judicial.....	*24,176,532.53	*23,410,840.79	21,625,846.65	21,690,766.90	21,519,324.71
Military Academy.....	653,589.67	575,774.47	458,669.23	479,572.83	449,525.61
Navy.....	*65,080,916.67	*48,099,969.58	*56,008,782.61	*10,93,000,234.19	*10,30,562,660.95
Pension.....	145,245,236.00	145,233,830.00	141,233,830.00	*141,203,880.00	141,328,580.00
Post-Office.....	113,648,230.75	105,634,138.75	99,229,900.75	95,065,338.75	92,571,564.22
River and harbor.....	*18,561,000.00	*14,16,091,841.94	(18)	(18)	*17,12,659,550.00

L—Appropriations, fiscal years 1897, 1898, 1899, and 1901, made by the Fifty-fourth, Fifty-fifth, and Fifty-sixth Congresses, etc.—Continued.

Title.	Fifty-sixth Congress, first session, fiscal year 1901.	Fifty-fifth Congress.		Fifty-fourth Congress.	
		Fiscal year 1900.	Fiscal year 1899.	Fiscal year 1898.	Fiscal year 1897.
Sundry civil	¹⁸ \$65,298,885.96	¹⁹ \$48,385,930.86	²⁰ \$48,400,212.26	²¹ \$53,611,783.38	²² \$31,006,710.19
Deficiencies	¹⁹ 15,679,512.46	²⁰ 25,006,912.26	²¹ 349,772,389.96	²² 10,557,417.34	²³ 15,341,911.07
Total regular appropriations	573,517,236.89	517,558,212.05	768,835,084.26	407,657,801.40	396,375,024.51
Miscellaneous	²⁴ 3,500,000.00	²⁵ 28,744,590.24	²⁶ 6,500,311.20	²⁷ 909,057.90	416,010.06
Permanent annual appropriations	²⁶ 132,712,230.00	²⁷ 128,678,220.00	²⁸ 117,836,220.00	²⁹ 120,078,220.00	²² 119,054,180.00
Grand total	²⁸ 709,729,476.89	²⁹ 674,981,022.29	²⁵ 803,231,615.55	²⁸ 735,079.30	515,845,194.57
Less estimated amount for war with Spain	131,247,155.32	120,702,156.21	361,850,927.26		
	578,482,321.57	554,278,866.08	432,371,688.29	528,735,079.30	515,845,194.57

¹ Includes \$60,000 for Weather Bureau stations in West Indies incident to war with Spain.

² Adding to the Army appropriations for 1900 the deficiencies of \$45,752,332.61 provided for by reappropriations out of unexpended balances of appropriations made for the military establishment during the war with Spain, the total amount for that year exceeds the amount of the Army act for 1901 by \$10,962,441.13. The amount for 1901 includes \$91,080,751.25 estimated as incident to war with Spain.

³ This sum does not include \$45,752,332.61 deficiencies provided for at this session by reappropriating unexpended balances of appropriations made for the military establishment during the war with Spain. The amount for 1900 includes \$67,900,850.12 estimated as incident to war with Spain.

⁴ Includes \$5,232,582 estimated as incident to war with Spain.

⁵ Includes \$1,485,650 on account of war with Spain.

⁶ Includes \$1,316,300 on account of war with Spain.

⁷ Includes \$24,986,766.48 estimated on account of war with Spain and \$21,140,699 for increase of the Navy.

⁸ Includes \$19,763,341.39 estimated on account of war with Spain, and \$10,382,402 on account of increase of the Navy.

⁹ Includes \$23,095,549.49 estimated on account of war with Spain, and \$21,236,273 for increase of the Navy.

¹⁰ Includes \$14,056,783 for increase of the Navy.

¹¹ Includes \$11,479,054 for increase of the Navy.

¹² In addition to this sum a deficiency appropriation of \$8,070,872.46 was made for pensions for 1898.

¹³ In addition to this amount the sum of \$12,200,000.75 is appropriated in the sundry civil act to carry out contracts authorized by law for river and harbor improvements for 1901, and \$3,500,000 additional for river and harbor improvements for 1901.

¹⁴ In addition to this amount the sum of \$8,918,197 was appropriated in the sundry civil act to carry out contracts authorized by law for river and harbor improvements for 1900.

¹⁵ No river and harbor bill was passed for 1899, but the sum of \$14,031,613.56 was appropriated in the sundry civil act to carry out contracts authorized by law.

¹⁶ No river and harbor bill was passed for 1898, but the sum of \$18,578,412.91 was appropriated in the sundry civil act to carry out contracts authorized by law for river and harbor improvements for 1898.

¹⁷ In addition to this amount, the sum of \$3,284,597 was appropriated in the sundry civil act to carry out contracts authorized by law for river and harbor improvements for 1897.

¹⁸ Includes \$12,200,000.75 to carry out contracts authorized by law for river and harbor improvements, and \$3,500,000 additional for river and harbor improvements for 1901.

¹⁹ Includes \$8,918,197 to carry out contracts authorized by law for river and harbor improvements.

²⁰ Includes \$14,031,613.56 to carry out contracts authorized by law for river and harbor improvements.

²¹ Includes \$18,578,412.91 to carry out contracts authorized by law for river and harbor improvements.

²² Includes \$2,284,597 to carry out contracts authorized by law for river and harbor improvements.

²³ Includes \$4,197,486.71 on account of or incident to war with Spain; in addition, reappropriates unexpended balances to supply deficiencies, as follows:

Military establishment, \$45,752,332.61; naval establishment, \$1,580,000.

²⁴ Includes \$15,680,464.70 on account of or incident to war with Spain.

²⁵ Includes \$329,661,795.77 on account of war with Spain, and \$8,070,872.46 for payment of pensions, fiscal year 1898.

²⁶ This amount is estimated, and includes \$2,085,455.88 on account of or incident to war with Spain.

²⁷ Includes \$20,000,000 payment to Spain under Paris treaty.

²⁸ Includes \$6,000,000 to pay interest on Spanish war loan, and \$53,000,000 to meet requirements of the sinking fund.

²⁹ Includes \$51,000,000 to meet requirements of the sinking fund.

³⁰ Includes \$60,000,000 to meet requirements of the sinking fund.

³¹ Includes \$131,247,155.32 estimated on account of or incident to war with Spain.

³² Includes \$261,858,927.26 estimated on account of or incident to war with Spain.

³³ Includes \$120,702,156.21 estimated on account of or incident to war with Spain.

II.—WAR APPROPRIATIONS.

Appropriations made during the second session of the Fifty-fifth Congress on account of or incident to the war with Spain.

For the national defense, act March 9, 1898.

\$50,117,000.00

34,625,725.71

Army and Navy deficiencies, act May 4, 1898.

23,005,549.49

Naval appropriation act, May 4, 1898—amount of increase over preceding naval appropriation act.

5,232,582.00

Fortification appropriation act, May 7, 1898—amount of increase over act as passed by the House.

3,000,000.00

Auxiliary naval force, joint resolution May 20, 1898.

224,808.60

Additional clerical force, War Department, Auditors' offices, etc., act May 31, 1898.

70,000.00

Life-Saving Service, act June 7, 1898.

18,015,000.00

Appropriations in act to provide ways and means to meet war expenditures, June 13, 1898.

600,000.00

Army, Navy, and other war expenses for six months beginning July 1, 1898, in general deficiency act, section 2, July 7, 1898.

226,679,261.46

Expenses of bringing home remains of soldiers, act July 8, 1898.

200,000.00

Total

861,859,927.26

Appropriations made during the third session of the Fifty-fifth Congress on account of or incident to the war with Spain.

In legislative act:

Additional clerical force, etc.—

\$6,900

State Department

800,100

Treasury Department

486,000

War Department

13,400

Post-Office Department

10,000

Court of Claims auditors

\$1,316,300.00

In sundry civil act:

Coast and Geodetic Survey

82,000

Engraving and Printing

199,300

281,300.00

In Post-Office act:

Postal service in territory occupied by military

300,000.00

In Agricultural act:

Weather Bureau stations in West Indies

60,000.00

In Army act:

Army appropriation act for 1898 appropriated. \$23,129,344.30

80,450,194.42

57,300,850.12

Appropriations made during the third session of the Fifty-fifth Congress on account of or incident to the war with Spain—Continued.

In naval act:

The appropriations made in the naval act for 1900, exclusive of the sums for "Increase of the Navy," exceed the like appropriations made in the naval act for 1898 by \$19,763,241.39

Permanent appropriations:

Interest on \$200,000,000 of bonds for war loan, at 3 per cent per annum

6,000,000.00

In special act:

Payment to Spain under Paris treaty

20,000,000.04

In deficiency act:

Treasury Department

\$399,000.00

War Department

15,140,464.70

Postal service

150,000.00

15,680,464.70

Total

120,702,156.21

Grand total war appropriations made during Fifty-fifth Congress

482,562,083.47

Appropriations made during the first session of the Fifty-sixth Congress on account of or incident to the war with Spain.

In legislative act:

Additional clerical force, etc.—

\$813,000

Treasury Department

630,000

War Department

16,800

Navy Department

17,850

Post-Office Department

8,000

Court of Claims auditors

\$1,485,650.00

In sundry civil act:

Porto Rican light-house establishment

\$60,000

Engraving and printing (estimated)

600,300

Coast and Geodetic Survey (estimated)

295,745

Commissioner for Porto Rico

5,000

Quarantine service in Porto Rico

60,000

Bringing home remains of soldiers

100,000

1,181,045.00

In Post-Office act:

Postal service in newly acquired territory

200,000.00

In Army act:

Army appropriation act for 1898 appropriated. \$23,129,344.30

80,450,194.42

Army appropriation act for 1901 appropriated. \$14,220,085.55

91,000,751.23

An increase of

Appropriations made during the first session of the Fifty-sixth Congress on account of or incident to the war with Spain—Continued.

In naval act:

The appropriations made in the naval act for 1901, exclusive of the sums for "increase of the Navy," exceed the like appropriations made in the naval act for 1898 by \$4,906,706.48

Permanent appropriations:

Interest on \$30,000,000 of bonds for war loan at 3 per cent per annum 6,000,000.00

In deficiency acts:

By deficiency act, February 9, 1901—

Treasury Department \$206,764.07
War Department 150,000.00
Naval establishment 2,750,000.00
Post-Office Department 4,450.00

III.—Chronological history of appropriation bills, first session of the Fifty-sixth Congress, estimates and appropriations for the fiscal year 1900-1901, and appropriations for the fiscal year 1899-1900.

[Prepared by the clerks to the Committees on Appropriations of the Senate and House of Representatives.]

Title.	Estimates, 1901.	Reported to the House.		Passed the House.		Reported to the Senate.		Passed the Senate.	
		Date.	Amount.	Date.	Amount.	Date.	Amount.	Date.	Amount.
Agriculture	\$4,306,257.00	1900.		1900.		1900.		1900.	
Army	127,712,135.55	Apr. 7	\$4,131,800.00	Apr. 10	\$3,951,800.00	Apr. 23	\$3,950,120.00	Apr. 25	\$4,044,120.00
Diplomatic and consular	1,895,848.76	Feb. 14	111,600,414.55	Mar. 29	112,186,494.55	Apr. 16	114,951,500.55	May 8	115,428,500.55
District of Columbia	7,657,778.31	Feb. 1	1,743,298.76	Feb. 7	1,743,298.76	Feb. 24	1,755,768.76	Mar. 10	1,744,668.76
Fortification	11,728,998.00	Mar. 5	6,752,019.31	Mar. 15	6,736,299.31	Apr. 6	7,457,755.31	Apr. 11	7,735,925.31
Indian	6,800,520.52	Jan. 28	7,351,206.05	Mar. 21	7,003,488.00	Apr. 27	7,733,628.00	May 4	7,735,628.00
Legislative, etc.	25,019,230.91	Feb. 12	23,874,821.65	Feb. 17	23,884,995.65	Mar. 13	8,407,237.24	Apr. 9	8,515,337.24
Military Academy	702,292.99	May 14	644,161.49	May 15	644,116.67	do	24,155,800.30	Mar. 20	24,166,440.30
Navy	74,245,500.15	Apr. 5	61,200,910.67	Apr. 21	60,887,616.67	May 24	653,637.57	June 1	653,637.57
Pension	145,230,220.00	Jan. 17	145,245,230.00	Jan. 19	145,245,230.00	May 3	63,128,616.67	May 14	63,034,516.67
Post-Office	110,777,800.00	Apr. 3	113,934,800.75	Apr. 26	113,286,400.75	May 4	114,563,538.75	May 21	113,618,238.75
River and harbor	c 19,903,741.31	May 10	500,000.00	May 17	500,000.00	May 25	251,000.00	June 2	261,000.00
Sundry civil	f 70,072,708.28	May 2	61,586,715.95	May 5	61,501,265.95	May 23	65,812,930.95	May 31	66,732,852.92
Total	606,143,028.78		545,669,783.18		544,937,954.36		557,575,854.10		559,010,186.07
Urgent deficiency, War, Navy, etc.		Jan. 15	8,525,500.11	Jan. 17	8,527,500.11	Jan. 24	9,012,948.64	Jan. 25	9,012,948.64
Additional urgent deficiency, Navy, etc.		Mar. 8	1,439,580.00	Mar. 13	1,464,580.00	Mar. 20	1,543,724.40	Mar. 21	1,543,724.40
Additional urgent deficiency, United States courts, etc.									
Deficiency, 1900, and prior years		Apr. 5	405,000.00	Apr. 5	405,000.00	Apr. 16	721,536.15	Apr. 16	721,536.15
Total	622,143,028.78	May 14	3,839,021.68	May 14	3,848,659.98	May 29	4,052,533.01	June 2	4,450,905.90
Miscellaneous	f 12,500,000.00								
Total, regular annual appropriations	634,643,028.78								
Permanent annual appropriations	132,712,220.00								
Grand total, regular and permanent annual appropriations	767,355,248.78								

Title.	Law, 1900-1901.		Law, 1899-1900.	
	Date.	Amount.	Amount.	Amount.
Agriculture				
Army	May 25	\$4,023,500.00	\$3,726,022.00	
Diplomatic and consular	May 25	114,220,005.55	80,430,204.06	
District of Columbia	Apr. 4	1,771,168.76	1,714,533.76	
Fortification		7,576,869.31	6,834,535.77	
Indian		7,383,628.00	4,909,902.00	
Legislative, etc.	May 25	8,198,089.24	7,504,775.81	
Military Academy	May 31	24,176,532.53	23,410,840.79	
Navy	June 6	653,599.67	575,774.47	
Pension	June 6	65,050,916.67	48,009,969.58	
Post-Office	Apr. 4	145,245,230.00	145,223,830.00	
River and harbor	June 2	113,648,238.75	105,534,128.75	
Sundry civil	June 6	d 661,000.00	e 16,061,841.94	
Total	do	g 65,298,885.95	h 45,985,900.86	
Urgent deficiency, War, Navy, etc.		557,837,744.43	492,552,230.79	
Additional urgent deficiency, Navy, etc.	Feb. 9	8,905,202.16		
Additional urgent deficiency, United States courts, etc.	Mar. 30	1,543,724.40	25,005,912.28	
Deficiency, 1900, and prior years	Apr. 23	728,536.15		
Total	June 6	4,411,959.75		
Miscellaneous				
Total regular annual appropriations				
Permanent annual appropriations				
Grand total regular and permanent annual appropriations				

a One-half of the amounts for the District of Columbia payable by the United States, except amounts for the water department (\$133,341), which are payable from the revenues of the water department.

b Includes all expenses of the postal service payable from postal revenues and out of the Treasury.

c This amount is exclusive of \$15,582,626.68 to meet contracts authorized by law for river and harbor improvements included in the sundry civil estimates for 1901.

d In addition to this amount the sum of \$12,200,605.75 is appropriated in the sundry civil act to carry out contracts authorized by law for river and harbor improvements for 1901, and \$3,500,000 additional for river and harbor improvements for 1901, making in all \$16,261,605.75 for rivers and harbors for 1901.

e In addition to this amount, the sum of \$8,918,197 is appropriated in the sundry civil act to carry out contracts authorized by law for river and harbor improvements for 1900.

f This amount includes \$15,582,626.68 to meet contracts authorized by law for river and harbor improvements for 1901.

g This amount includes \$12,200,605.75 to carry out contracts authorized by law for river and harbor improvements for 1901, and \$3,500,000 additional for river and harbor improvements for 1901; in all, \$15,700,605.75.

h This amount includes \$8,918,197 to carry out contracts authorized by law for river and harbor improvements for 1900.

i This amount is approximated. The amount of deficiency estimates does not include \$47,602,326.61 estimated for but reappropriated out of unexpended balances of former appropriations for military and naval establishments.

j This amount includes \$20,000 to carry out the obligations of the treaty between the United States and Spain, concluded December 10, 1898, and \$3,146,143.97 for payment of claims under the Bowman and Tucker acts and French spoliation and other claims.

k This is the amount submitted by the Secretary of the Treasury in the annual estimates for the fiscal year 1900, the exact amount appropriated not being ascertainable until two years after the close of the fiscal year.

l In addition to this amount, contracts are authorized to be entered into, subject to future appropriations by Congress, as follows: By the District of Columbia act, \$56,000; by the naval act, \$44,454,500; by the river and harbor act, \$23,866,324.13; by the sundry civil act, \$6,088,450; by miscellaneous acts, \$2,075,000; in all, \$77,947,274.13.

THE SPEAKER. Does the gentleman from New York yield to the gentleman from Iowa?

MR. ALEXANDER. Why, certainly.

MR. HEPBURN. I do not know that I want more than a moment.

MR. ALEXANDER. Take all you want.

MR. HEPBURN. I want to ask the reading of the second section. I want to see if there is an exception to Chinese.

MR. ALEXANDER. There is.

MR. HEPBURN. The last clause, Mr. Speaker, relating to Chinese, if there is such a clause there.

MR. ALEXANDER. The last four lines.

The Clerk read as follows:

And provided further, That this resolution shall not be construed as applying to the acts of Congress prohibiting the coming of Chinese persons into the United States.

THE SPEAKER. The question is on the third reading of the Senate joint resolution.

The question was taken; and the joint resolution was ordered to be read a third time; and it was accordingly read the third time, and passed.

On motion of **MR. ALEXANDER**, a motion to reconsider the vote by which the joint resolution was passed was laid on the table.

OHIO CENTENNIAL AND NORTHWEST TERRITORY EXPOSITION.

THE SPEAKER. The Chair also lays before the House a similar resolution respecting the exposition at Toledo, Ohio.

The Clerk read as follows:

Senate joint resolution 131, authorizing foreign exhibitors at the Ohio Centennial and Northwest Territory Exposition, to be held in Toledo, Ohio, in 1902, to bring to this country foreign laborers from their respective countries, for the purpose of preparing for and making their exhibits, under regulations prescribed by the Secretary of the Treasury.

Resolved, etc., That the act of Congress approved February 28, 1885, prohibiting the importation of foreigners under contract to perform labor, and the acts amendatory of these acts, shall not be construed, nor shall anything therein operate to prevent, hinder, or in any wise restrict any foreign exhibitor, representative, or citizen of a foreign nation, or the holder of any concession or privilege from the Ohio Centennial Company, of Toledo, from bringing into the United States, under contract, such mechanics, artisans, agents, or other employees, natives of foreign countries, as they or any of them may deem necessary, subject to the approval in each case of the Secretary of the Treasury, for the purpose of making preparations for installing or conducting their exhibits, or of preparing or installing or conducting any business authorized or permitted under or by virtue of or pertaining to any concession or privilege which may have been granted by the Ohio Centennial Company in connection with the Ohio Centennial and Northwest Territory Exposition: *Provided, however,* That any alien who, by virtue of this act, enters the United States under contract to perform labor, may not remain in the United States for more than three months after the close of the exposition, and he shall thereafter be subject to all the processes and penalties applicable to aliens coming in violation of the alien contract-labor law aforesaid: *And provided further,* That this resolution shall not be construed as applying to the acts of Congress prohibiting the coming of Chinese persons into the United States.

The Senate joint resolution was ordered to a third reading; and it was accordingly read the third time, and passed.

CONSPIRACY, RESTRAINING ORDERS, AND INJUNCTIONS.

MR. TERRY. Mr. Speaker, in the matter of the bill H. R. 8917, referred to me this afternoon, I will state that it has been reported from the Committee on the Judiciary, with certain amendments. It was only reported yesterday. I have consulted with the chairman, and I now ask unanimous consent that leave be granted until the third day of the next session to file the views of the minority.

MR. RAY of New York. Mr. Speaker—

THE SPEAKER. Let the Chair state the request first. The gentleman from Arkansas asks unanimous consent that he have until the third day of the next session of Congress to file the views of the minority on the bill H. R. 8917.

MR. RAY of New York. Mr. Speaker, the request is eminently proper and should be granted. I want to make another request, in the same connection. The gentleman who made that report [Mr. LITTLEFIELD] dictated it to the stenographer of the committee, and I supposed that he had looked it over; but he informs me to-day that it was in the rough, and not exactly, perhaps, as he would like to have it.

Now, I would ask that the gentleman from Maine [Mr. LITTLEFIELD] have until the third day to file the majority report if he desires so to do, and that the gentleman from Arkansas have five days thereafter to file the views of the minority.

MR. TERRY. Next session.

MR. RAY of New York. Next session.

MR. TERRY. All right.

MR. RAY of New York. And that the gentleman from Arkansas have five days thereafter to file the views of the minority.

THE SPEAKER. The gentleman from New York couples with the request of the gentleman from Arkansas a request that the gentleman from Maine [Mr. LITTLEFIELD] may have until the third day of the next session to file an amended report on said bill, and that the gentleman from Arkansas have five days thereafter

to file the views of the minority. Is there objection? [After a pause.] The Chair hears none, and it is so ordered.

LOAN OF NAVAL EQUIPMENTS.

THE SPEAKER. While the House was in the act of considering the bill S. 1023, the conference report on the naval bill came in and interrupted it. The Clerk will complete the reading of the bill, subject to unanimous consent.

There was no objection.

The Clerk read as follows:

An act to authorize the Secretary of the Navy to loan naval equipment to certain military schools.

Be it enacted, etc., That the President be, and he is hereby, authorized, upon the application of the governor of any State having seacoast line or bordering on one or more of the Great Lakes, to direct the Secretary of the Navy to furnish to one well-established military school in that State desiring to afford its cadets instruction in elementary seamanship one fully equipped man-of-war's cutter for every 20 cadets in actual attendance and such other equipment as may be spared and be deemed adequate for instruction in elementary seamanship: *Provided*, That the said school shall have adequate facilities for conducting upon some body of water suitable for such drills cutter drill and shall have in actual attendance at least 150 cadets in uniform receiving military instruction and quartered in barracks under military regulation, and shall have the capacity to quarter and educate at the same time 150 cadets: *And provided further*, That the Secretary of the Navy shall require a bond in each case in double the value of the property for the care and safe-keeping thereof and for the return of the same when required.

THE SPEAKER. This bill was called up by the gentleman from Indiana [Mr. Miers]. Is there objection?

MR. MOODY of Massachusetts. Mr. Speaker, we could not hear anything about that bill on account of the confusion.

THE SPEAKER. The members of the House should contribute toward order. They can see that the galleries are crowded, and even with the disposition on the part of the galleries to observe proper decorum the members of the House must do what they can to assist in maintaining order or the business can not be transacted.

MR. LENTZ. Mr. Speaker, I was not able to hear what was being read, and I do not know what the bill provides for, and I would like to know the substance of it.

THE SPEAKER. The Clerk will again report the bill, if there is no objection.

There was no objection.

The Clerk again read the bill.

MR. LENTZ. Mr. Speaker, I think it is more important for the people to read about the Cœur d'Alene riots, and until that testimony is ordered printed I object.

THE SPEAKER. Objection is made by the gentleman from Ohio.

EDWARD B. HOWARD.

MR. DE VRIES. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 3125) to correct the military record of Lieut. Edward B. Howard.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of War be, and is hereby, authorized and directed to amend the military record of Lieut. Edward B. Howard, Company G, Fourteenth New Hampshire Volunteers, and grant him an honorable discharge.

With the following amendments:

Add at the end of the bill the following: *"Provided*, That no pay, bounty, or other emoluments shall become due or payable by virtue of the passage of this act."

THE SPEAKER. Is there objection to the present consideration of the bill?

MR. LENTZ. Unless we can have the testimony in the Cœur d'Alene—

THE SPEAKER. The gentleman from Ohio objects.

PRINTING REPORTS ON OLEOMARGARINE BILL.

MR. HENRY of Connecticut. Mr. Speaker, I ask unanimous consent for the consideration of the following resolution, which I send to the Clerk's desk.

The Clerk read the resolution, as follows:

Resolved, That there be printed 10,000 copies of the majority and minority reports of the Committee on Agriculture on the bill of the House 3717, to make oleomargarine and other imitation dairy products subject to the laws of the States and Territories into which they are transported, and to change the tax on oleomargarine; and the same be placed in the folding room to the credit of members for distribution.

THE SPEAKER. Is there objection?

MR. DALY of New Jersey. I object, Mr. Speaker.

THE SPEAKER. The gentleman from New Jersey objects.

MR. DALY of New Jersey. At the request of several members,

Mr. Speaker, I will withdraw my objection.

THE SPEAKER. Objection is withdrawn.

The resolution was agreed to.

THE BARGE DAVIDSON.

MR. DALY of New Jersey. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (S. 3301) to provide an American register for the barge *Davidson*.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is hereby authorized and directed to cause the foreign-built barge *Ringhorn*, owned by James T. O'Donnell, citizen of the United States, to be registered as a vessel of the United States under the name of *Davidson*.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The bill was ordered to a third reading; and being read the third time, it was passed.

On motion of Mr. DALY of New Jersey, a motion to reconsider the last vote was laid on the table.

ROBERT PLATT.

Mr. MEYER of Louisiana. Mr. Speaker, I ask unanimous consent for the consideration of the bill (S. 3077) authorizing the President to appoint Lieut. Robert Platt, United States Navy, to the rank of commander.

The Clerk read the bill, as follows:

Be it enacted, etc., That the President be, and is hereby, authorized to appoint Robert Platt, lieutenant of the junior grade, United States Navy, not in the line of promotion, to the rank of commander, United States Navy, and to place him upon the retired list of the Navy as such.

During the reading of the bill the following occurred:

Mr. LENTZ. Mr. Speaker, I want it understood that I reserve the right to object after the bill is read.

The SPEAKER. That right belongs to the gentleman without interrupting the reading.

The Clerk proceeded and completed the reading of the bill.

Mr. LENTZ. Mr. Speaker, it will cost the Government no more to print the *Coeur d'Alene* testimony than will that bill.

The SPEAKER. Does the gentleman from Ohio object?

Mr. LENTZ. I object.

The SPEAKER. The gentleman from Ohio objects.

NAVAL APPROPRIATION BILL.

Mr. FOSS. Mr. Speaker, I desire to submit a conference report on the naval appropriation bill.

The SPEAKER. Without objection, the Clerk will read the statement of the House conferees, omitting to read the report.

There was no objection.

The statement of the House conferees was read.

Mr. FOSS. Mr. Speaker, I desire to make a statement in relation to Senate amendment numbered 9. The provision contained in this report with reference to ocean survey differs from that which was incorporated here in the House in this respect: Instead of the words "for special ocean surveys" the Senate conferees insisted upon the words "hydrographic surveys" under the caption of "Ocean surveys," but struck out the provision which was originally in the House bill as to all surveys applying to the lakes.

The House conferees insisted upon the provision which the House had placed in this bill, but the Senate conferees gave us notice that they would agree only upon this language; and feeling that it was near an adjournment of Congress, we felt it our duty to report the matter to the House and let this House take such action as it may deem best. The Senate conferees insisted with great vehemence upon their position, and stated that if not assented to it would open another bitter contest. Consequently we have felt constrained to make this report.

Upon the second matter on which we agreed, I desire to make a brief statement; and that is in reference to the cadets at the Naval Academy. The Senate conferees insisted upon this provision: To continue the two years' sea course, but to permit each member of Congress to make an appointment of a naval cadet every four years, the same as at the War College. The appointees to follow those classes which are now at sea can be appointed any time within the present year; and those appointees to follow the class which is now about to graduate at Annapolis can be appointed any time between now and March 4 of next year.

Now, Mr. Speaker, I have made all the statement that I care to make in relation to this matter, and I move—

Mr. CANNON. I trust not. I desire some time, Mr. Speaker.

The SPEAKER. What motion does the gentleman from Illinois, the chairman of the Committee on Naval Affairs, enter?

Mr. FOSS. Simply the ordinary motion to adopt the report.

The SPEAKER. The gentleman from Illinois moves the adoption of the conference report.

Mr. CANNON. I will ask the gentleman and the House to give time, and sufficient time, that this matter may be brought to the attention of the House, because it involves legislation and appropriations without law, and expressly, in the broadest possible way, in the teeth of the positive instructions of this House; and I want sufficient time briefly to state my position and a little time for the gentleman from Massachusetts [Mr. MOODY] and one or two other gentlemen, including the gentleman from Colorado [Mr. SHAFROTH], time enough to settle this thing and not to have the instructions of the House in these the closing hours of the session absolutely set at naught. I would be glad to be recognized in my own right if the gentleman will not yield.

Mr. FOSS. I shall be pleased to yield to my colleague such time as he desires.

Several MEMBERS (to Mr. CANNON). Take an hour.

Mr. CANNON. I will take as little time as possible. I will not abuse the courtesy of the House if I can be recognized in my own right. With the consent of my colleague, I will ask to be recognized in my own right. I will not unduly occupy time.

Mr. FOSS. Why can we not agree on the time?

Mr. CANNON. I do not like to be absolutely bound down to the minute. I have no desire to talk for mere talk's sake.

Mr. FOSS. I shall be glad to yield my colleague one-half hour.

Mr. CANNON. The gentleman says he will yield me one-half hour. If that is not quite sufficient, I will trust to my friend's sense of fairness to give a little further time.

Mr. FOSS. I yield five minutes to the gentleman from Massachusetts [Mr. MOODY].

The SPEAKER. Let the Chair understand. Does the gentleman from Illinois [Mr. Foss] yield the floor reserving his time, or yield it to his colleague?

Mr. FOSS. I yield one-half hour to my colleague and retain the time.

Mr. RICHARDSON. I rise to a parliamentary inquiry. I would be glad to have the Chair state what the pending motion is.

The SPEAKER. The motion is to adopt the conference report on the naval appropriation bill. The gentleman from Illinois [Mr. Foss] in charge of the bill yields thirty minutes of his hour to his colleague [Mr. CANNON].

Mr. RICHARDSON. I wish to ask the gentleman from Illinois last mentioned [Mr. CANNON] whether he is opposed to the conference report?

Mr. CANNON. I am. I am going to ask the House to reject it for the reasons that I hope to assign.

I yield now five minutes to the gentleman from Massachusetts [Mr. MOODY].

Mr. MOODY of Massachusetts. Mr. Speaker, I have addressed the House twice at considerable length on this question. I do not propose at this hour, in the last stages of the session, to take very much more time upon it. But there are one or two points to which I do wish to attract the attention of the House.

The question now is not whether there shall be two hydrographic surveys by the Government of the United States, but the question is which is the bigger—a coterie of naval officers here up in the Department or the House of Representatives. [Applause.] Twice this House, after deliberate discussion, has determined to maintain the policy adopted fifty years ago, and we insist that it shall be maintained.

Twice the House, knowing that our ships of war were stripped of their proper equipment and complement of officers, has declined to give to the Navy Department the work belonging to the civilian. And are you going to get down in the dirt to these bureau officers now because our conferees have not proved faithful to their trust? [Applause.]

This suggestion proposes to open to the Navy hydrographic surveys everywhere. They may go on their Great Lakes under that language—

Mr. FOSS. Not at all.

Mr. MOODY of Massachusetts (continuing). They can go anywhere where water flows under that language. Every object which the House deliberately concluded upon has been violated in this agreement. I call upon the members of the House, in obedience to their own dignity, in obedience to their duty to their constituencies, to vote down this report and teach these officers the lesson they deserve to learn.

Mr. FOSS. Mr. Speaker, I beg to state to the House that the provision relative to lake surveys has been left out entirely.

Mr. MOODY of Massachusetts. Ah, that is true the provision in regard to lake surveys was left out, but in regard to the "hydrographic surveys" that you have put in. That opens up a very big field. That means the survey of waters anywhere—fresh water, salt water, ocean water, coast waters, anywhere you please.

Mr. FOSS. Let me state for the information of the gentleman from Massachusetts and the other members on the floor of the House, that the caption "Ocean surveys" is the same language exactly that was put into the House proposition. Now, instead of using this caption for "Special ocean surveys," the Senate have insisted on putting in for "hydrographic surveys."

A MEMBER. What does that mean? [Laughter.]

Mr. FOSS. They have insisted on putting that in under the general caption of "Ocean surveys."

Mr. MOODY of Massachusetts. You change the language only without intending to change the scope of the whole appropriation. We care nothing for the money appropriated. That is a small matter. It is the language of the appropriation itself; and the caption to which the gentleman refers is not a part of the bill.

Mr. FOSS. Frankly and candidly I will say to the House that there is but a difference of one word, "hydrographic" instead of "special ocean."

Now, Mr. Speaker, it is a question whether hydrographic does not apply to special ocean surveys under the general head. I think it does. I think it perhaps means the same thing, or practically means the same.

Mr. CUMMINGS. If my friend will allow me, I would say that under "special ocean surveys" all the work would be done that could be done under the hydrographic surveys.

Mr. CANNON. Oh, no.

Mr. CUMMINGS (continuing). And it is a question whether the House desires to remain in session all night and all day tomorrow simply that one word shall be changed in the conference report. The matter was laid down; it was carefully considered; it was understood to be the best that we could do, and we accepted it.

Mr. WILLIAMS of Mississippi. We could very well afford to remain a day or even a week if necessary to perfect a bill of this kind. I have known one word, even one syllable, to divide parties, for instance—"bi—" and "mono—" in 1896.

Mr. BINGHAM. And I have known the word "only" to lick a party, too. [Laughter.]

Mr. CANNON. Mr. Speaker, if I can have the attention of the House, I want to call its attention to a few plain facts touching this whole matter, some of which the House has not knowledge of.

Mr. BARTLETT. Mr. Speaker, before the gentleman proceeds I want to ask him one question.

Mr. CANNON. Yes.

Mr. BARTLETT. Is not this the matter about which the House by a decided vote solemnly instructed the conferees?

Mr. CANNON. Yes; I will read it in a moment. When the naval bill was first being considered by the House, the action of the House was as follows: To strike out the establishment of a second coast survey, in the Navy Department, there being and having been one under the Treasury for nearly a century; and the House, after full discussion, two to one, put this language in the bill:

Ocean surveys: For special ocean surveys and the publication thereof, \$10,000.

The Senate struck out the words "For special ocean surveys" and put in these words:

For hydrographic surveys and for the purchase of nautical books.

And so forth.

Now, there can be no language touching the survey of the water broader than "hydrographic surveys." That means the survey of the ocean, the lakes, the rivers, the coasts of the United States and of all the navigable waters of the whole world. Heretofore the Navy only by law made special ocean surveys 20 leagues from shore.

Now, when it came back to the House (in the meantime the whole thing having been fought over again on the sundry civil bill in appropriations for the Coast Survey), and the House again having manifested its will, when this matter came back to the House on the naval bill, I knew that the House conferees were unfriendly to the position of the House, and I stated for the purpose of strengthening their hands and for the further purpose of putting it out of their power to do exactly what they have done here to-night in making this report, I offered the following resolution. Let me read it:

Resolved, That the managers on the part of the House at the conference on the disagreeing votes of the two Houses on certain amendments of the Senate to the naval bill are hereby instructed to insist on the disagreement of the House to the amendment numbered 9, and—

Now, listen—

and to agree to no settlement of said disagreement which shall involve the survey of any of the ocean and lake coasts of the United States or of coasts under the jurisdiction of the United States.

There is an express instruction to agree to nothing that would involve that proposition.

Mr. RICHARDSON. Was there a yea-and-nay vote on that?

Mr. CANNON. Yes.

Mr. RICHARDSON. What was the vote on that?

Mr. CANNON. My recollection is there was a yea-and-nay vote.

Several MEMBERS. No.

Mr. CANNON. Well, the vote was substantially two to one. Conference after conference was held. There has been a great contest about armor plate, when that contest is not one-half the size in dollars and cents and in importance to the service involved in this contest. Time and again they came.

Now, they come in here on the last conference and do what? Do they come reporting a disagreement and asking further instructions of this House? No; but boldly, openly, notoriously seeking to become the masters of this House when they are but the servants of this House. [Applause.]

Now, I want to say that the words "hydrographic surveys" include every water course that is navigable, fresh or salt, deep sea or coast, on earth.

Mr. CUMMINGS. Artesian?

Mr. CANNON. "On earth" is what I said. The gentleman from Illinois [Mr. Foss] says that this would not let them survey the lakes. I say it would, because while the subhead is "Ocean surveys," that is no part of the act. It is simply a convenience to find the provision.

Mr. KLUTTZ. Will the gentleman let me give him the definition of "hydrographic" as given by Webster?

Mr. CANNON. Certainly.

Mr. KLUTTZ (reading)—

Hydrographic.—Relating to or of the nature of hydrography.

Hydrography.—The science and art of determining and making known the conditions of navigable waters, whether ocean or inland, charting the coasts and rivers, determining the depths, the quality of the bottom, the time of the tides, and measuring the currents.

Mr. CANNON. Precisely.

Mr. KLUTTZ. That is Webster.

Mr. CANNON. Now, gentlemen, just a few minutes. I will not weary you. But I will put, by consent of the House, into the RECORD what I now hold in my hand. Gentlemen will recollect that the personnel of the Navy was involved in this work.

Gentlemen will recollect that to man the ships that we now already have in the American Navy, that, in round numbers, the officers of the Navy, for fighting purposes, to man all these great battle ships and cruisers and other naval vessels, we are over 1,500 naval officers short, and there has been a contest here to try and get more of them. This same bill, if I am correctly informed, shortens the service from six to four years. What for? To get more officers. What for? To man the ships of the American Navy. What for? To sustain the honor of the country.

Mr. FOSS. It does not shorten the course. The course remains six years, as before.

Mr. STEELE. Notwithstanding the House three or four times instructed that it should be four years.

Mr. CANNON. Let that be as it may, the fact remains that there is a shortage of officers.

Mr. WILLIAMS of Mississippi. I understood the gentleman's colleague from Illinois to say that the appointments were to take place each four years, which will increase the number of officers.

Mr. CANNON. The gentleman from Massachusetts used strong language. He said that this was not only a contest for the good of the public service, but it was a contest to determine whether this House, the representatives close to the people, was stronger than a few men connected with the Navy and in bureau positions in the Navy Department. [Loud applause.]

Now, I will give you, in substance, proof of it. Oh, we received letters from boards of trade, from maritime associations, wonderfully alike, from Oregon to New York, telling us not to cripple the Navy, not to cripple the service. They were not being crippled. I know a round robin when I see it. [Laughter.] I knew that some central intelligence was inspiring the wonderfully similar letters and telegrams that I was receiving every day.

I hold in my hand a copy of a letter that I wrote to the Secretary of the Navy, asking him to give me copies of letters on file to all persons, corporations, boards of trade, or otherwise, in substance, touching this matter, that had gone from the Navy Department or any officer thereof. In three or four days there came back a reply, which I have here, and will put in the RECORD.

The answer came:

There is nothing! nothing! nothing! I knew that was a falsehood, in substance if not in letter. That is strong language. [Loud applause.] It ran along a week, or such a matter after that.

Mr. LITTLEFIELD. By whom was the letter signed?

Mr. CANNON. I will give it in a minute. I want here to absolve the Secretary of the Navy from everything, because he was not responsible for the letter. It was signed by the Secretary of the Navy. The knowledge rested with the Bureau of Equipment, and I will show you wherein Mr. Secretary was imposed on, as well as the House.

Mr. DINSMORE. Will the gentleman tell us how he knows that?

Mr. CANNON. Oh, I am just coming to that. Now I will give you the substance of the first letter. I got copy of a letter that was duly signed, a little bit imperfect, with stars, and what purported to be a copy of a letter that came to my hands, and sent to a member of Congress. I took that knowledge that I had and I addressed another letter to the Secretary of the Navy, and said in substance, "Please send me a full copy of the letter."

Mind you, the reply had come that there was no letter. Here is the letter that I got in return, and I have got more than this:

SIR: Replying to your telegram of yesterday, I find that the circular letter referred to by you under date of the 20th instant—

That is the letter I am speaking of—

was prepared by the hydrographer, Commander Todd, and sent out by him

without the knowledge of this Department. I inclose, as requested, a copy of the same, which has just been brought to my attention for the first time.

In view of the letter of April 25, written by the Hydrographer to this Department, a copy of which was inclosed to you in the Department's letter to you of April 30, and in which it was stated that no letter of the tenor therein described had been sent from the Hydrographic Office to any individuals outside of Washington; and in further view of the fact that the letter of the Hydrographer, now herein inclosed, had then been sent by the Hydrographic Office and sent in violation of the naval regulations without the knowledge or authority of this Department, the Hydrographer has been suspended from duty pending the action of the Department in the matter.

Very respectfully,

JOHN D. LONG, Secretary.

Hon. J. G. CANNON,

Chairman Committee on Naval Affairs, House of Representatives.

[Loud applause.]

Now, I must hasten on. I will put these letters in. But here is a letter that was sent under date of April 18, 1900:

CIRCULAR LETTER TO THE BRANCH HYDROGRAPHIC OFFICES.

HYDROGRAPHIC OFFICE,
Washington, D. C., April 20, 1900.

SIR: 1. The Naval Committee of the House in Congress reported in the regular naval bill the following clause relative to ocean and lake surveys:

"Ocean and lake surveys; the publication and care of the results thereof, etc., \$100,000."

In debate before the House, Mr. CANNON, chairman of the House Appropriations Committee, moved to amend that portion of the bill reducing the amount from \$100,000 to \$10,000. This reduction was approved by a vote of the House. The wording of Mr. CANNON's amendment is as follows:

"Ocean survey, for special general surveys and the publication thereof, \$10,000."

Should this modified measure, so far as ocean and lake surveys is concerned, become a law, all surveys or examinations for the removal of obstructions in the lakes must cease July 1, this year; all surveying operations by the vessels now engaged around Cuba, belonging to the Navy, must cease; the Navy will be prohibited from doing any surveying in the new possessions; and inasmuch as American capital by the millions is almost weekly going to these countries, and numerous requests come to this office asking for the surveys of harbors not yet examined in order to insure the safety of their ships, it will be impossible to give any assistance in the development of the commercial expansion of the United States by this office; and refusals so to do must go out from here after July 1.

This is regarded as a very serious blow at the commercial needs of the country, in view of recent developments, as the Coast Survey Service has not the means even to survey our own coasts let alone any of the new possessions. Hence, if the commercial bodies in your vicinity are interested in obtaining quick surveys, needed in their interests of various kinds, they must render assistance to have this amount put back by the Senate when the bill goes before that body, and maintained before the conference.

3. The statements have been made on the floor of the House that the object of this appropriation was to transfer the Coast Survey Service to the Navy Department. That is absolutely untrue; and it is only asked in the interests of commerce, in the interests of our naval vessels, that are endangered in the absence of correct charts, and is of the gravest importance to the future of the fleet and the merchant marine. Therefore direct your efforts in the way of recovering this amount lost in the House toward the members of the Senate Naval Committee, members on the floor of the Senate, and also toward members of the House who, it is believed, do not comprehend the nature of the bill at all.

4. It appears that there has been a combination against this appropriation from several sources, and therefore you must be prepared to gainsay any statements that may have been sent out from the Army Engineer Corps, the chairman of the River and Harbor Committee, Insular Committee, and the Appropriations Committee.

5. While the Appropriations Committee seem to be taking the ground that economy in this is needed, it will appear later in the session that, whereas \$10,000 has been knocked off this appropriation for surveying, \$400,000 is added to that of the Coast Survey for the coming year; so that economy surely can not enter into the question.

6. But the main point is that the safety of the fleet, the safety of the merchant marine, which is now growing so rapidly, calls for that branch of the Government to do this surveying work which can do it best and quickest (and that is the Navy, without question) in the new possessions, leaving alone the Coast Survey to do the work which it was intended it should do originally, that is, our own coasts, which they have not finished and do not intend to do.

7. Move at once in this matter, and keep this office advised of progress. Antagonize nobody, state only facts such as I have given you, that fight may be thrown upon a subject which has been bogged down by self-interest by an organization that is fighting for its bread and butter, leaving the interests of the Government as a secondary consideration.

Respectfully,

C. C. TODD,
Commander, U. S. N., Hydrographer.

Somebody has asked who this was directed to. This copy of the letter does not show. I knew, thought I, it was directed to somebody, so I made another inquiry, all of which I will put in the RECORD. I said to whom was this letter directed and how many of this kind of letters were sent. Well, it came. This letter was directed to the naval officer in charge of the hydrographic station at Portland, Oreg.; and 47 other letters had been directed to 47 other naval officers or kindred people.

And then in terms these people, scattered all over the country, addressed maritime exchanges and boards of trade, and these 47 letters, or copies of them, were in the Hydrographic Office when I wrote the first letter, and the answer came back. "Nay, nay; nothing." They were there when the Secretary of the Navy was imposed upon and deceived by these partisans in this bureau. To do what? To overcome the efforts of the Committee on Insular Affairs and the River and Harbor Committee and to counteract what the Chief of Engineers of the Engineer Corps of the Army might say, especially to be warned against the Appropriations Committee. [Laughter.]

Now, another letter brought all these. I have kept these letters substantially private because I knew that the Secretary of the Navy, an honorable man, had been deceived and imposed upon,

as this correspondence and his action will show, by these bureau officials. I do not delight much in fomenting discord. The American Navy is a great institution, and I felt this attempted action by a few naval officers tended to bring opprobrium upon that great organization, and therefore I did not rush into print, although I had much provocation.

Notwithstanding the editorial attacks which were made upon me, I kept my peace, satisfied, having this information when I moved the instruction to these unfriendly conferees, and my mouth would have been sealed on this occasion if the conference committee had obeyed the instructions of the House. But I am compelled in the interest of the public service, in an effort to vindicate the honor and manhood of this great coordinate branch of Congress, to call attention to these facts.

The SPEAKER. The time of the gentleman from Illinois has expired.

Mr. CANNON. I want one word further.

Mr. RICHARDSON. I ask unanimous consent that the gentleman have time to conclude his remarks.

Mr. CANNON. I want but a minute more.

The SPEAKER. Without objection, the gentleman will be allowed to proceed for five minutes.

Mr. CANNON. That is quite enough, and more, too. Now, then, there is much more of this, as you will see when you read the RECORD in the morning. What is the parliamentary situation?

The Senate moved appropriations to accomplish a work that is not authorized under the law to-day. It is true there was an appropriation last year to make ocean surveys and to survey the coast of the newly acquired territory, an appropriation to the Navy. That is true, but it came in just like this is sought to be put in. It escaped attention.

Now, for almost a century the Coast Survey, under the Treasury Department, has done its work under the law, Title LVI, Revised Statutes, sections 4681 to 4691, inclusive, your law and my law. It is the duty of the President to detail Navy officers, if he has them to spare, to assist in this work under the Coast Survey. They may say that it is beneath the dignity of a naval officer, but yet for sixty years they have done it in times of peace, and now they refuse to do it because they say they have no officers to spare and say they are 1,500 short.

Now, then, the Senate comes with this appropriation and says, "We will make this appropriation whether the House will or not—without law." Now, what is the parliamentary rule on a great money bill? That body which seeks to legislate or to appropriate, without law, where the other body objects, always recedes. That is the universal rule. It is found in the very hornbooks of parliamentary usage. This committee representing the House in conference must have known it.

A MEMBER. As in the Nevada claim.

Mr. CANNON. Yes; as in the Nevada claim, and as in all cases between the House and the Senate under similar circumstances.

Now, a few words on the merits. The good of the service, for economy and efficiency, does not indicate that a second universal coast survey should be established in the Navy Department.

That is what this provision does in the broadest possible manner, so far as the coming year is concerned. Therefore, on the merits, I am against it; and the House has been three times against it. When I moved the instructions, I said it was an open secret that the House conferees were unfriendly to the position of the House. Therefore to take a "bond of fate" or its equivalent, I moved the instruction in the strongest language, and the House adopted the resolution by an overwhelming majority.

I will tell you how you can get an agreement on this bill. Let the House further insist on its disagreement after this conference report is voted upon. Now, as all other questions are out of the way, send three men who are in harmony with the House and will obey orders [applause], and then if the Senate say, "We will not agree with the House, but will sacrifice this great bill unless we are permitted to do this unparliamentary thing," then let the Senate shoulder the responsibility.

A MEMBER. And on that we will stay here all summer.

Mr. CANNON. There is the whole thing in a nut shell; and while there is much more that I could say, and perhaps ought to say, yet in these closing hours of the session I will refrain from doing so. I will, under the permission of the House, place in the RECORD these documents to which I have referred. [Loud applause.]

The letters are as follows:

COMMITTEE ON APPROPRIATIONS,
HOUSE OF REPRESENTATIVES,
Washington, D. C., May 19, 1900.

DEAR SIR: In view of the facts developed in your letter of the 15th instant and its inclosures in response to my telegram of the 16th instant, I again respectfully request, for the information of the Committee on Appropriations, that you will cause to be furnished me, at the earliest moment practicable, "copies of all telegrams sent and letters written by the Navy Department or any of its bureaus or offices to chambers of commerce, boards

of trade, corporations, and individuals outside of Washington, concerning appropriations for and legislation relating to the Hydrographic Office or the work of "ocean and lake surveys," since February 2, 1900; also, that you will advise me by whose authority such letters were written, and to what fund the expenses of the telegrams were charged."

I further request copies of all letters or telegrams of the character above referred to, which may have been written by any officer of the Navy Department during the period mentioned—whether the same are a part of the files of the Department or not.

I beg to call your attention to the fact that the copy of the "circular letter to the branch hydrographic offices" sent out under date of April 20, 1900, which came into my possession prior to the receipt of your letter of the 15th instant, appears in its conclusion to be addressed to "The officer in charge, branch office, Port Townsend, Wash., while the copy sent me under cover of your said letter of May 15 omits to include such address.

I beg further to call your attention to publications contained in the Washington Post and other daily newspapers this morning concerning the suspension of Commander Todd, and to the fact that they were manifestly inspired by Commander Todd or other subordinates connected with the Navy Department, in violation of the spirit, if not the letter, of the regulations of the Navy, and are palpably misleading.

The publication in question is but one of many bearing upon the controversy touching the survey of the coasts and lakes of the United States that have been called to my attention during the past few weeks, which, in my judgment, were inspired by persons in the Navy Department in violation of the regulations of the Navy. They are misleading in their statements, and in some instances slanderous of another Department of the Government.

Very respectfully,

J. G. CANNON,

Chairman Committee on Appropriations, House of Representatives.

Hon. JOHN D. LONG,
Secretary of the Navy.

NAVY DEPARTMENT, Washington, May 24, 1900.

DEAR SIR: I am in receipt of your letter of the 19th instant, in which you request, for the information of the Committee on Appropriations, to be furnished, at the earliest moment practicable, copies of all telegrams sent and letters written by the Navy Department, or any of its officers, to chambers of commerce, boards of trade, corporations, and individuals outside of Washington concerning appropriations for and legislation relating to the Hydrographic Office or the work of ocean and lake surveys since February 2, 1900; also, by whose authority such letters were written and to what fund the expenses of the telegrams were charged. Also copies of all letters or telegrams of the character above referred to which may have been written by any officer of the Navy Department, whether the same are a part of the files of the Department or not.

The various bureaus of the Department, with the exception of the Bureau of Equipment, which embraces the Hydrographic Office, all report to me that no such letters or telegrams have been written or sent.

The report of the Bureau of Equipment shows that one letter was written by the chief of the Bureau to the branch hydrographic officer at New York. The Bureau of Equipment regards this as a personal letter, and says that it was not addressed in an official form, and adds that it is the only letter or telegram of which it has a copy not already forwarded to the Department.

It also reports that some forty-seven letters were written and thirteen telegrams sent by the hydrographer, some of the letters being in circular form. All these were sent to the subordinate officers in charge of the various branch hydrographic offices in the United States, of which branches there are fifteen. These letters and telegrams bear dates between February 23 and May 10.

The only other letter reported to me is a circular letter which was sent on May 16 by the acting hydrographer, calling the attention of the various branch offices to the action of the Department in consequence of your inquiry of May 14, and warning them to be very careful not to violate the naval regulations in any way.

The Chief of the Bureau of Equipment reports that he may have addressed a few personal letters, not exceeding four or five, and perhaps two or three telegrams, to various individuals, mostly officers of the Navy, on the subject; that the telegrams were not paid for by the Government; that copies of these letters and telegrams can not be supplied, and that they are of little importance.

The acting hydrographer reports that the various branch offices have been instructed to forward any letters written by them, but that it will take some time to receive returns; also that the 47 letters above referred to were all written by the authority of the officer signing them, and that all telegrams were paid for at Government rates and charged to the appropriation for contingent and miscellaneous expenses, Hydrographic Office.

With regard to all the above letters and telegrams which have thus been reported to the Department, and which were written and sent without its knowledge, it may be said that they are somewhat of the tenor of the circular letter, a copy of which was forwarded you in reply to your telegram of May 14. They set forth, as had already been set forth in my departmental letter to you some weeks ago, the reasons why the work of ocean surveys should be done by the Navy, and they further impress upon the various branch hydrographic officers the importance of bringing this to the attention of Congress.

I trust that the foregoing information will meet the purposes of your request.

Referring to the paragraph in your letter of May 19 in which you state that the circular letter sent out on the date of April 20 appears to be addressed to the officer in charge of the branch office at Port Townsend, Wash., while the copy I sent you May 15 omits to include such address, I think you will find a full explanation of this in the fact that the letter was a circular letter, one being sent to each branch office, and the copy which I sent you being intended, as shown by its title, to represent the letter sent to each branch.

I have no reason to believe that the article in the Washington Post, to which you refer, was inspired by Commander Todd. I am more inclined to believe that it was the usual result of inquiry on the part of newspaper men who had learned of his suspension. I shall be happy, however, to give your suggestion consideration, and am,

Very truly yours,

JOHN D. LONG.

Hon. J. G. CANNON,
House of Representatives, Washington, D. C.

Extracts from United States Navy Regulations, 1896.

Sec. 219, page 52. Combinations of officers for the purpose of influencing legislation, remonstrating against orders, or complaining of details of duty are forbidden, and no person shall delay obedience to an order for the purpose of making remonstrance or complaint.

Sec. 236, page 53. All persons belonging to the Navy or employed under the Navy Department are forbidden to publish, or to cause or permit to be

published, directly or indirectly, or to communicate, by interviews, private letters, or otherwise, except as required by their official duties, any information in regard to the foreign policy of the United States, or concerning the acts or measures of any department of the Government, or of any officer acting thereunder, or any comments or criticisms thereon, or any official instructions, reports, or letters upon any subject whatever, or to furnish copies of the same to any person without the permission of the Navy Department.

No person belonging to the Navy, or employed under the Navy Department, shall act as the correspondent of a newspaper, discuss in the public print matters pertaining to the personnel of the naval service, or attempt to influence legislation in respect to the Navy, without the express authority and approval of the Department. Any violation of the provisions of this article will be noted in the record of the person concerned.

COMMITTEE ON APPROPRIATIONS.
HOUSE OF REPRESENTATIVES,
Washington, D. C., April 21, 1900.

SIR: I have the honor to request that you will have prepared and sent me, for the information of the Committee on Appropriations, copies of all telegrams sent and letters written by the Navy Department or any of its bureaus or offices to chambers of commerce, boards of trade, corporations, and individuals outside of Washington concerning appropriations for and legislation relating to the Hydrographic Office or the work of "ocean and lake surveys," since February 2, 1900; also that you will advise me by whose authority such telegrams and letters were written, and to what fund the expenses of the telegrams were charged.

Very respectfully,

J. G. CANNON,
*Chairman Committee on Appropriations,
House of Representatives.*

Hon. JOHN D. LONG,
Secretary of the Navy.

NAVY DEPARTMENT, Washington, April 20, 1900.

SIR: Replying to your letter of the 21st instant requesting to be furnished, for the information of the Committee on Appropriations, House of Representatives, copies of all telegrams sent and letters written by the Navy Department or any of its bureaus or offices to chambers of commerce, boards of trade, corporations, and individuals outside of Washington concerning appropriations for and legislation relating to the Hydrographic Office or the work of "ocean and lake surveys" since February 2, 1900; also requesting to be advised by whose authority such telegrams and letters were written, and to what fund the expenses of the telegrams were charged, I have the honor to inform you that the Chief of the Bureau of Equipment, to whom your letter was referred, reports as follows:

"Forwarded herewith is a certificate from Commander C. C. Todd, U. S. N., hydrographer to this Bureau, in connection with inquiries herein; also a certificate from the chief clerk of this Bureau on the same subject. Total, three inclosures, which appear to be a complete reply to the inquiry made."

The inclosures referred to in the foregoing indorsement of the Bureau of Equipment are herewith inclosed.

Upon an examination of the records of this office it does not appear that any letters or telegrams have been sent by the Department, since the date mentioned, to chambers of commerce, boards of trade, corporations, or individuals outside of Washington concerning appropriations for and legislation relating to the Hydrographic Office or the work of "ocean and lake surveys."

Very respectfully,

Hon. J. G. CANNON,
*Chairman Committee on Appropriations,
House of Representatives, Washington, D. C.*

HYDROGRAPHIC OFFICE, Washington, D. C., April 25, 1900.

SIR: Referring to the letter to the Secretary of the Navy from the Hon. J. G. CANNON, chairman of the Appropriations Committee, House of Representatives, dated April 21, 1900, as to letters, telegrams, etc., to chambers of commerce, boards of trade, corporations, and individuals outside of Washington, etc., a careful examination of the files of this office shows that no letters or telegrams have been sent from this office to chambers of commerce, boards of trade, corporations, and individuals outside of Washington concerning appropriations for and legislation relating to the Hydrographic Office or the work of ocean and lake surveys since February 2, 1900.

Respectfully,

C. C. TODD,
Commander, United States Navy, Hydrographer.

THE CHIEF OF THE BUREAU OF EQUIPMENT,
Navy Department.

MEMORANDUM FOR THE CHIEF OF BUREAU.

WASHINGTON, D. C., April 26, 1900.

With reference to the request of the Hon. J. G. CANNON, chairman of Committee on Appropriations, House of Representatives, to be supplied with copies of all telegrams sent and letters written by the Navy Department or any of its bureaus or offices to the chambers of commerce, boards of trade, corporations, or individuals outside of Washington concerning the appropriation for and legislation relating to the Hydrographic Office on work relating to ocean and lake surveys, since February 2, 1900. Also upon what authority such telegrams or letters were written, and to what funds the expense was charged.

I have the honor to state that the files of this Bureau do not contain any such letters or telegrams, with the exception of a letter (copy attached) to Mr. E. R. Sharwood, secretary of Maritime Exchange, Philadelphia, Pa.

A. C. WRENN, *Chief Clerk.*

WASHINGTON, D. C., April 13, 1900.

MY DEAR SIR: 1. I beg to acknowledge with thanks the favor of your letter of April 10, 1900.

2. I am very glad to hear that your opinion of the Hydrographic Office has undergone a change and that you are now in favor of sufficient appropriations to enable it to continue its work in the future in a liberal, comprehensive, and efficient manner.

3. In this connection I have the pleasure to inform you that yesterday the conference committee practically agreed to the Senate amendments of the bill which passed the House, restoring sufficient funds to continue the work as in the past.

Very respectfully,

R. B. BRADFORD,
Chief of Bureau.

Mr. E. R. SHARWOOD,
Secretary Maritime Exchange, Philadelphia, Pa.

[Telegram.]

MAY 14, 1900.

SIR: I have the honor to respectfully request that you will cause to be furnished me, for the information of the Committee on Appropriations, a complete copy of a circular letter sent to the officer in charge of the branch office, Port Townsend, Wash., under the following heading and date: "Hydrographic Office, Washington, D. C., April 20, 1900."

I have an incomplete copy of the circular letter in question, but desire from your Department a complete and exact copy of the same.

J. G. CANNON,

Chairman Committee on Appropriations,
House of Representatives.Hon. JOHN D. LONG,
Secretary of the Navy.

The SPEAKER. The gentleman from Illinois [Mr. Foss] is entitled to the floor.

Mr. SHAFROTH. Will the gentleman yield me five minutes?

Mr. FOSS. I would like to yield first to a gentleman on this side of the House.

Mr. SHAFROTH. All right; that is perfectly satisfactory.

Mr. FOSS. I yield to the gentleman from Ohio [Mr. GROSVENOR] ten minutes.

Mr. GROSVENOR. Mr. Speaker, I hope it will be a long time in the future before a great committee of this House shall be humiliated by the House taking their business out of their hands and conferring it upon a new subcommittee. We differ sometimes with the gentleman from Illinois, the chairman of the great Committee on Appropriations. Sometimes we differ with him for days and days upon an appropriation, but we have never yet sought—

Mr. HEMENWAY. Will the gentleman from Ohio allow me a moment?

Mr. GROSVENOR. Certainly.

Mr. HEMENWAY. The trouble is not that these gentlemen differ with the gentleman from Illinois, but that they differ with the House of Representatives; that is what we complain of here.

Mr. GROSVENOR. Wait until I get done, and see whether they do or not.

I say it would be an insult against this committee such as would be absolutely unpardonable, unless it is indispensable to get along with the business of the House.

Now, let us see whether this committee has deviated from its instructions. I think the gentleman from Illinois has forgotten the amendment that he put into this bill. I think it must be that he has forgotten the language of the amendment about which this whole controversy was made. I want to read you now the language that he put into the RECORD, covering not more than ten minutes. First I will read you the amendment to the bill—drafted by himself, offered by himself, and adopted by the House. Then I will show you the resolution of limitation upon the power of the committee; and then I will ask you whether the committee has deviated from the instructions which the House gave them.

This is the amendment offered by Mr. CANNON:

That the House recede from its disagreement to the amendment of the Senate numbered 9, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"Ocean surveys: For special ocean surveys and the publication thereof and for the purchase of nautical books, charts, and sailing directions, and freight and express charges, \$20,000."

That was the amendment under which the disagreement with the Senate grew up; and it was offered by the gentleman himself. It provided an appropriation of \$20,000 for ocean surveys. Now, what else is put in? Having captured the House, and having "downed" the committee, he put a limitation upon "a full and free conference." That conference was just about as "full and free" a conference under his instruction as the man is free who has shackles on his limbs.

But when you come to read it you will find that this committee have not deviated from the duty they owe to the House.

Having put in an amendment to apply \$20,000 to ocean surveys, the gentleman offers a resolution—

That the managers on the part of the House at the conference on the disagreeing votes of the two Houses on certain amendments are hereby instructed to insist on the disagreement of the House to the amendment numbered 9, and to agree to no settlement of said disagreement which shall involve the survey of any of the ocean or lake coasts of the United States.

Now, what sort of a situation did that committee of conference find itself in? First, it went out there to represent the House that had made an amendment to the bill appropriating \$20,000 for ocean surveys; and when they came to look, they had a resolution underlying that, telling them they should not agree to anything that involved the expenditure of a dollar through ocean surveys. [Laughter and applause.] And my friend from Illinois, with that genius and skill that meets every emergency, wrote both these documents himself! [Laughter.]

Mr. CANNON. And the gentleman from Ohio, with that genius that tries to meet all emergencies by suppressing a word here and there and supplying another, failed to accomplish his object, though he may expect to accomplish it when he reads this language that he attributes to me.

Mr. GROSVENOR. I have read every solitary word in both the papers prepared by the gentleman from Illinois.

Mr. CANNON. Oh, no.

Mr. GROSVENOR. I do not yield further—

Mr. CANNON (continuing). I watched the gentleman from Ohio closely. He did not read the words of the amendment prepared by me.

Mr. GROSVENOR. Well, Mr. Speaker, the gentleman from Illinois has occupied nearly the whole day anyhow. He can not take all of the time.

Mr. CANNON. Certainly not.

Mr. GROSVENOR. I have read every word of this first amendment and of the other paper, omitting only the words "H. R." and the figures, being the number of the bill in question.

But in order that there may be no mistake about it, I will read them over again:

Ocean surveys—

That is the exact language here—

Ocean surveys: For special ocean surveys and the publication thereof, and for the purchase of nautical books, charts, and sailing directions, and freight and express charges on the same, \$20,000.

Mr. CANNON. That is not the amendment upon which we voted at all.

Mr. GROSVENOR. That is the amendment that the House agreed to.

Mr. CANNON. Oh, no; that is not what the House adopted.

Mr. GROSVENOR. Certainly the gentleman wrote those words, "Ocean surveys"—

Mr. CANNON. Let me read the amendment that the House did adopt.

Ocean surveys: For special ocean surveys and the publication thereof, \$10,000.

Mr. GROSVENOR. I have not yielded to the gentleman.

Mr. CANNON. Oh, certainly; but the gentleman can not deceive the House.

Mr. GROSVENOR. Now, gentlemen who have the RECORD before them, if they will turn to page 6228, at the top of the left-hand column they will find the following:

Mr. CANNON—

Beginning at the bottom of page 6227—

The gentleman has the appropriation in many other places, but if he would rather that language should go in I have no objection.

The amendment as modified was then read.

The SPEAKER. The time of the gentleman from Ohio has expired.

Mr. McCALL. I ask unanimous consent that the time of the gentleman be extended for ten minutes longer.

Mr. FOSS. I will yield to the gentleman from Ohio five minutes.

Mr. GROSVENOR. Now I ask the House to turn to the RECORD, as I have said.

Mr. CANNON. Well, Mr. Speaker, here is the bill and the amendments, which were placed upon it by the House. The gentleman has read one thing that the Senate put in, not what the House did.

Mr. GROSVENOR. I am reading what Mr. CANNON offered, and the RECORD shows that it was agreed to.

Mr. CANNON. I recollect the incident now. It was read in the first instance and repudiated by me. I said that it was an error, and afterwards I prepared the other amendment, which was agreed to, and which the gentleman from Ohio has not read.

Mr. GROSVENOR. But did not your final one have "ocean surveys" in it?

Mr. CANNON. I will read it to my friend.

Mr. GROSVENOR. Very well.

The SPEAKER. Does the gentleman from Ohio yield to the gentleman from Illinois?

Mr. GROSVENOR. Yes.

Mr. CANNON (reading):

Ocean surveys: For special ocean surveys and the publication thereof, \$10,000.

Mr. GROSVENOR. Why, that is exactly the same thing. That is what I am commenting on.

Mr. CANNON. Oh, no, it is not, at all.

Mr. GROSVENOR. It changed it to \$10,000 instead of \$20,000. The point I am trying to make is that the gentleman put in the words "ocean surveys," I do not care whether the amount was \$10,000 or \$20,000, and then put a limitation that they should not agree to a dollar for any ocean survey, and there is the record. There is no escape from it.

Now, that is what I have to say. I voted with the gentleman from Illinois, as I recollect, on the former occasion, and we voted three times in the same direction. Now, the Senate has yielded upon the great question involved in the dispute between the two

Houses. We have spent time enough over this question of thirty thousand or fifty thousand dollars.

It is a temporary appropriation for a work that has grown larger during this year than any other year during the history of the Government, and I am willing to yield my prejudice in favor of the Coast and Geodetic Survey in order that we may get through this session of Congress and close out this business to-night.

Mr. CANNON. The gentleman is a good quitter. [Laughter.]

Mr. GROSVENOR. It is costing the Government more to fight the personal battle of my friend than it would to have quit a long time ago. [Applause.] Now, let me tell you another thing. The gentleman has disclosed that on a certain date here, when that letter was written, there were 47 hydrographic offices run in the surveying of the coasts of the United States by the Navy Department.

Mr. CANNON. Oh, no; not at all. The gentleman does not know what he is talking about. [Laughter.]

Mr. GROSVENOR. It is better not to know what you are talking about and make a mistake than to know what you are talking about and not tell what you do know—far better. [Applause.]

Therefore I think it is better to close this matter out. We have spent time enough over this naval bill. The Senate has made the principal concessions in the case. It has yielded to the dictation of the House upon the great question of armor plate, and it has made other concessions, and a conference means concessions, and it is a very small concession to yield to the Senate just so much as is asked for in this conference report.

Mr. CUMMINGS. They yielded the word "lake," upon which the gentleman from Illinois laid special stress.

Mr. GROSVENOR. Yes; they got rid of the inland waters.

Mr. CUMMINGS. After a great deal of difficulty we got them to yield.

[Here the hammer fell.]

Mr. FOSS. Mr. Speaker, how much time have I remaining?

The SPEAKER. The gentleman has eighteen minutes remaining.

Mr. FOSS. Has the gentleman from Illinois consumed all his time?

The SPEAKER. He has.

Mr. BURTON. I should like a very few minutes on this matter.

Mr. FOSS. I ask unanimous consent that the gentleman from Ohio [Mr. BURTON] have five minutes, not to be taken out of my time.

The SPEAKER. Without objection, the gentleman from Ohio [Mr. BURTON] will be recognized for five minutes in his own time.

Mr. LENTZ. Unless I can have ten minutes in reference to the Coeur d'Alene testimony being printed, I object.

The SPEAKER. Objection is made by the gentleman from Ohio.

Mr. FOSS. Mr. Speaker—

Mr. BURTON. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state his parliamentary inquiry.

Mr. BURTON. Am I not entitled to be recognized in this discussion in my own right?

The SPEAKER. Not until the time of the gentleman from Illinois [Mr. Foss] in charge of the bill has expired. Then the Chair will have to determine who is entitled to recognition.

The gentleman from Illinois.

Mr. FOSS. Mr. Speaker, my colleague from Illinois [Mr. CANNON] has used up all his time, and there are several gentlemen upon this side of the House—but I desire to be fair in this matter, and I will yield four minutes to the gentleman from Ohio [Mr. BURTON].

Mr. BURTON. I thank the gentleman from Illinois for his courtesy. Mr. Speaker, I had not thought to take any part in this discussion; but because of a reference to myself in this correspondence, though I am not called by name, I feel compelled to do so, and I feel compelled to say that a principle is at stake in this matter. In view of the influences behind this amendment this House ought not to yield one jot or one tittle from the provision in the form in which it passed the House. [Applause.]

The day on which the discussion occurred here I took no part in the debate by occupying the floor. On two occasions I asked questions, briefly, of persons who discussed the subject. A bureaucrat of the Navy Department has seen fit to send out letters stating that a combination has been made; "that they"—the persons to whom it is addressed—"must be prepared to gainsay statements sent out from the Engineer Department, from the chairman of the Committee on Rivers and Harbors, and by others."

Mr. Speaker, I sent out no statement; I took no partisan stand; I entered into no combination. I took what I thought was a fair view between the two Departments, and to those who engaged in private conversation with me I said I thought it perfectly proper that the gunboat *Michigan*, located upon the lakes—I took little

interest in the question as regards ocean or other surveys—might occupy its spare time in making hydrographic investigations, but that the Army engineers, who in sixty years have spent three millions in making surveys upon the lakes, whose other duties are in close connection with the lake surveys, who have been in charge of this work, ought to have entire charge of it; otherwise there would be a duplication of the public service which would cause unnecessary extravagance.

I am responsible for the statements that I made here or elsewhere. I did not speak in an offensive manner. No statements of mine were made secretly or carelessly. I did not send out statements, as did this man, to different boards of trade of the country; but I made them in public here; and I stand by every word I said. Not only was I not partisan, but I took no stand between the Navy Department and the War Department.

I was not solicited by the Engineer Department to take part in the discussion at that time or any time, although they gave me, on one or two occasions when I called there, their views on the subject. I was simply solicitous for an efficient performance of the public service on the Great Lakes, and I did not believe in a duplication of that service.

Now, this official of the Navy Department has sent all over the country to different boards of trade and commercial organizations warnings against combinations, warnings against statements alleged to have been sent out, which were never sent out, so far as I know. It is time for the House to assert its prerogative and let it be understood that we know something upon this subject and have a duty to perform. Let it be known that we insist on fair dealing and that those who seek to influence legislation come before the public and act in the light and not in the dark. Let us stand by the provision as it passed the House. [Loud applause.]

Mr. FOSS. I yield five minutes to the gentleman from West Virginia.

Mr. DAYTON. Mr. Speaker, it seems to me that this is no occasion for a manifestation of temper or of personal feeling on this great appropriation bill, and that it is only necessary for me to call the attention of the House and those who are fair, and I know the members are, and who are anxious to promote the public service and to accomplish the efficiency of the public business, to the actual situation that confronts the House at this moment.

I want to say this, that for over a week the conferees on this naval bill have been working day and night to reach an agreement upon it. Whether we have accomplished that duty or not is for you to determine. We have reported four times to this House.

We have stood out three times and disagreed to this amendment, or to any compromise on this hydrographic service, notwithstanding the fact—and I think you ought to take it into consideration—notwithstanding the fact that the Naval Committee examined into this matter and unanimously reported in favor of an appropriation of \$100,000 for this hydrographic service, and reported it to the House, and the House disagreed to it; three times we stood out in disagreement to it, notwithstanding the Senate Naval Committee investigated the same matter and unanimously reported in favor of \$100,000 appropriation in the language set forth, and notwithstanding at least one or two of the prominent members of the Naval Affairs Committee were also members of the Appropriations Committee in the Senate, where they had also before them such matter as was presented by the sundry civil bill, prepared by the chairman of the Committee on Appropriations. Now he comes to you, Mr. Speaker, and says that you ought to turn us out. That I am perfectly willing to, and he says that it ought to be done.

Why? Because a subordinate officer in the Hydrographic Bureau wrote his associate officers to prevent the appropriation or use their influence to prevent the appropriation from being cut down \$100,000 as it was last year.

Mr. CANNON. Will the gentleman yield?

Mr. DAYTON. No; I will not yield. It is your common policy to interrupt a member and take all the time you possibly can from him. [Applause.] I want to say this: This appropriation for \$100,000 was in the bill last year and for the same purpose.

I want to say further that when we went back this afternoon to the conference after having fought all the day through, the Senate having all the day fought the armor-plate provision, and having reached an agreement on that, and when the Senate conferees felt they had been beaten in that, they took their stand fairly and squarely on this proposition and announced to us that this bill would fail and that the responsibility for its failure would be on these men who insisted—as they believed, for some personal reason—on breaking down the Hydrographic Bureau, which had been in existence since 1856, and for us to come back and report this fact to you.

Mr. CUMMINGS. Will the gentleman yield to me for a suggestion?

Mr. DAYTON. Yes.

Mr. CUMMINGS. We made them yield. We made them cut it down from \$100,000 to \$50,000. We made them take out the lake survey.

Mr. DAYTON. Yes; we made them do that, and for all that, with the Senate standing that way, the chairman of the Committee on Appropriations, who has led this House, or at least who thinks he has it at his will, comes here and makes this insinuation, that the conferees, because their judgment differs from his, were not fairly and honestly seeking to carry out the will of the House. I say that charge is false and untrue. [Applause.]

The SPEAKER. The gentleman from Illinois [Mr. Foss] has thirteen minutes remaining.

Mr. CANNON. Will my friend be courteous and yield to me for three seconds? I appeal to him as a courteous man.

Mr. CUMMINGS. He has given you half his time now.

Mr. FOSS. I will yield to the gentleman, my colleague from Illinois.

Mr. CANNON. Mr. Speaker, what I said about different conferees was more to get at a result. I have no desire to see the conferees changed. All I want is to see the will of the House carried out; and I am quite content that, as the gentleman seems to harp upon that, the conferees should be headed by my honorable colleague.

Mr. FOSS. Mr. Speaker, I permit no man to come in here and cast an imputation upon my honor and character upon the floor of this House. I care not from what source it may come. I came here to represent the people of my district. I came here and took the oath of office, and I have stood by the instructions of the House to the last end.

Time and again we have reported here a disagreement upon this proposition. We brought in here from the Committee on Naval Affairs the proposition for surveys which the Navy has always been making and which has been in appropriation bills year after year.

In the last naval appropriation bill there was an appropriation for \$100,000 for these surveys; but, sir, the House voted down that proposition, and from that very hour when they voted down that proposition I have stood up in the conference committee, yes, to the last vote, and voted against the provision which I brought into the House and stood by the provision which the gentleman from Illinois insists shall be ingrafted in that bill. And when we came back here and reported to the House the result of that conference, I did it with the explanation, and my vote is upon record there as against the proposition.

I say to you, gentlemen, after many days of anxious and weary debate, after all the toil and trouble, trying to take the place of him whom unfortunate illness has now placed in a retreat, to be called out at this time, here in the presence of my colleagues, and charged with unfaithfulness by the gentleman from Massachusetts. I resent it, and I hurl it back in his teeth. [Loud applause.]

Sir, the House conferees have done their best. The Senate conferees insisted upon this provision and said that without it the bill would fail. We fought and fought and fought, and then came in here and made our explanation. And neither the gentleman from Illinois nor any other gentleman on this floor can impugn my honor and my character. [Applause.]

Now, gentlemen, if you want this bill to fail, vote to "turn down" this conference report. I say to you here and now, after what has been said, that I shall ask the Speaker to relieve me from all further duty in conference. I can not go back after I have fought for this provision with the imputations which have been cast upon me here. I will have none of it.

Mr. Speaker, what are we quarreling over here? Simply one word—"hydrographic" instead of "special ocean"—"hydrographic" under the general provision of ocean surveys. "Hydrographic" refers, and would be construed to refer, to ocean surveys. We have stricken out lake surveys; we have reduced the appropriation which was demanded by the Senate conferees from \$100,000 to \$50,000.

We have got every concession that we could. But rather than see the bill fail, rather than see this session of Congress prolonged, we came in here and made the explanation which I have already made.

Gentlemen of this House, colleagues of mine on this floor, do as you may see fit.

Mr. Speaker, I move the previous question.

Mr. CANNON. I hope not. [Cries of "Vote!" "Vote!" and "Question!" "Question!"] Well, I hope not. [Renewed cries of "Vote!" "Vote!"] I hope not.

The SPEAKER. The gentleman from Illinois [Mr. Foss] has the right in his time to ask the previous question.

Mr. CANNON. I only want ten minutes.

Several MEMBERS. Regular order!

Mr. CANNON. Then I ask the House to vote down the previous question.

The SPEAKER (having put the question on ordering the previous question). The noes appear to have it.

Several MEMBERS. Division!

The question being again taken, there were—ayes 80, noes 129. The SPEAKER. The noes have it; and the House refuses to order the previous question. The Chair recognizes the gentleman from Colorado [Mr. SHAFROTH].

Mr. SHAFROTH. Mr. Speaker—

A MEMBER (to Mr. SHAFROTH). You have an hour.

Mr. SHAFROTH. I am not going to occupy any such length of time; I want to make a short statement; that is all.

Mr. Speaker, I do not know whether the gentleman from Illinois [Mr. Foss] has come within the purview of the instructions or not. Whether he has or not is immaterial. I do not belong to the Committee on Appropriations nor to the Committee on Naval Affairs. This entire controversy has been swept aside upon a question of sentiment and of quarrel to some extent.

Mr. Speaker, it is time that we should consider the merits of this question. It is time that some one should show whether one of these surveys is better than the other and whether we should stand by the declaration that we made three times in this House in favor of the Coast and Geodetic Survey. [Applause.]

Mr. Speaker, the reason the Coast and Geodetic Survey should undertake these surveys is because experience has demonstrated that a man who undertakes a life work can do better than one who makes it only a temporary occupation. The naval officers do not want to undertake hydrographic surveys for any length of time.

They have been assigned to the Coast and Geodetic Survey for limited periods of time; but the Government has not been able to keep them there more than two years and two months on an average. That is the reason why doing the work through the Coast and Geodetic Survey is better than having it conducted by the Naval Department. The naval officer makes his reputation in commanding large vessels and not in being in charge of the small vessels used in coast-survey work.

But, Mr. Speaker, the great reason why this work should not be under the control of the Navy Department is because the Navy will invariably survey between big ports and make the hydrographic surveys at important ports only. They will omit the coasts where small boats go. They will omit to make a consecutive survey of the coast.

We have 3,000 vessels in the merchant marine of this nation as against 225 only in the Navy, and one-half of these are in distant waters all the time. Are we going to have a survey made equally for the merchant marine and the Navy, or are we going to have a survey made simply in the interest of the Navy at points where only big vessels will go and where the great ports are located? Mr. Speaker, when we take into consideration the merits of these two bureaus claiming the right to survey the coast there can be no doubt as to what is to the best interest of this Government.

This question has been a controversy of long duration. This is not the first animated debate that has taken place over the conflict between the Navy and the Coast and Geodetic Survey. Twice have these surveys been taken away from the Coast and Geodetic Survey and placed under the Navy Department, and twice have they been returned to the Coast and Geodetic Survey.

Experience has demonstrated that the Coast and Geodetic Survey can make these surveys at less cost than what the Navy Department can do it for. The test has been made on the Cuban and Porto Rican coasts—coasts similar in their nature—coasts that would require soundings of about the same depth.

We find that when the Navy Department sent its two vessels there to do this work the cost was \$46,000 for each of their vessels, which made only about 25,000 soundings. At the same time one little vessel sent down there by the Coast and Geodetic Survey made 75,000 soundings, at a cost of only \$25,000.

Mr. DAYTON. Will the gentleman from Colorado allow an interruption?

Mr. SHAFROTH. Certainly.

Mr. DAYTON. I wish to say to the gentleman that both these committees to which reference has been made in the House and Senate investigated that matter, and find that the naval surveys cost less than the Coast and Geodetic Survey.

Mr. SHAFROTH. Oh, well, Mr. Speaker, the figures are plain, and completely contradict that statement.

Mr. DAYTON (continuing). I incorporated these facts some time ago in a speech and appended the figures in support of the statements there made.

Mr. SHAFROTH. The two vessels used by the Navy in these surveys were the *Eagle* and the *Yankton*. These made a survey of the coast of Cuba, and made it at a cost of \$46,000 for each vessel. The *Blake* was a Coast and Geodetic Survey steamer and made the survey of Porto Rico for \$25,000, and the total soundings by them were 75,000. We find that the cost for each sounding on the part of the Coast and Geodetic Survey was only 35 cents, while the cost of the survey made by the Navy Department was \$1.08 per sounding, made on coast of a similar nature and about an equal depth of water.

Now, these facts are significant and show the difference. I maintain that the only method proper for us to pursue is to select that system which has proven more efficient and cheaper. Sir, knowing these facts, we have tested the sense of the House three times on the question, and it seems to me to be an absolute surrender on our part to yield to the adoption of the conference report and consent to anything else than the action which the House has already proposed on this matter.

I yield to the gentleman from Indiana [Mr. HEMENWAY] such time as he may desire.

Mr. HEMENWAY. Mr. Speaker, I shall use but three, or at most five, minutes of the time yielded to me, and I would like the attention of the House during that brief period.

I wish to suggest this point: Here is an officer of the Navy who says, in substance, that "I am going to reach out; I am going to perform the duties now performed by the Weather Bureau, and I am going to perform the duties now performed by the Coast Survey."

How does he go to work in that connection? He writes 47 letters to different sections, all over the United States, and says, in substance, to his correspondents, "You go to work with the boards of trade and influence them; influence the action of your boards of trade and bring their influence to bear upon the members of Congress to secure the necessary legislation."

This is what he proposes. He first commenced on the legislative bill, where he undertook to force the appropriation away above what it ought to be, and numerous letters and telegrams came to me from all parts of the country, I having the matter in charge.

Now, gentlemen, I ask you to notice what this officer says in the communications to which reference has been made. He says: "Influence the members of the House." Why? "Because the members of the House do not, it is believed, comprehend the nature of the bill at all."

This naval officer, who has been suspended, says in 47 letters, all over the country, "Influence the action of the members of the House, because they do not understand the nature of the bill at all." In other words, they do not understand the nature of the business before them or the duties which they have sworn to perform. Then when the letter comes in asking copies of the letters written by him, what does he say? He says, "No letters were written!"

Mr. Speaker, are we to go to the country to-morrow and have it said that an officer of the Navy, by his letters to boards of trade and from them to members of Congress; an officer who has been suspended for furnishing misinformation to the Secretary of the Navy, shall turn down the instructions of the House given to our committee of conference, and force us to reverse ourselves in the face of the action heretofore taken?

Are we to admit that he is powerful enough to control the legislation and push through and get into the hands of the Navy the Weather Bureau and other Departments of the Government which we have declared shall not be interfered with? That is just what it means. The evidence of Professor Moore before our committee showed that they were duplicating his work, trying to take it in.

It shows that they are duplicating the Coast Survey work, trying to take it in. It means militarism; it shows the Navy trying to reach out and perform duties that we have said civilians should perform. It shows that they are trying to get away from the duties that we want them to perform. We want them to fight. We want our Army to fight. We want them to leave the duties of civilians alone, and they are reaching out—this one man, who is now suspended, is reaching out, trying to influence the action of this House.

We have nothing against these conferees; do not want any question of sentiment to lead you away from the issue in this case. The issue is, Shall the House reverse itself in order to please one officer who is now suspended and who stands suspended for giving this misinformation to the House, that he in his letter says did not know anything about the business before it? In other words, suspended for giving misinformation to this House, that he says, to use his exact language—

Do not comprehend the nature of the bill at all.

I warn you now, if you agree to this report you allow the Navy to reach out and take in the duties now performed by the Weather Bureau, the duties now performed by the Coast Survey. You allow them to get away from the duties that we want them to perform. We want them to fight. We are proud of them for their fighting qualities. We want to confine them to the business for which we educate them, and not allow them to reach out and grasp the duties that belong to civilians in this country. [Applause.]

Mr. SHAFROTH. Mr. Speaker, I move the previous question.

Mr. HOPKINS. Mr. Speaker, I desire five minutes in support of the committee before that is done.

The SPEAKER. Does the gentleman from Colorado yield five minutes to the gentleman from Illinois [Mr. HOPKINS]?

Mr. SHAFROTH. I will yield five minutes to the gentleman.

Mr. HOPKINS. Mr. Speaker, it was not my purpose to address the House upon this conference report; but I can not permit the statements that have been made here against the conferees on the part of the House to go by without my protest, and I am not willing either to subscribe to the conclusions that are presented by the gentleman from Indiana [Mr. HEMENWAY] who has just addressed the House.

The issue here, gentlemen, is not between a member of a particular bureau of the Navy Department and this House. The issue is between the Senate and the House. The Senate, consisting of a coordinate branch of Congress, desires one form of language to be incorporated into this bill that is under consideration, and the House desires another.

Now, as has been stated here before, the Senate conferees on this bill have conceded again and again what has been asked for by the House conferees. They have conceded it, after the Senate voted to have the conferees on the part of the Senate sustain a contrary position.

Now, the conferees upon the part of the House, in my judgment, have acted honestly and fairly and faithfully in presenting the views of the House at the conferences. In my service here this is not the first time that the conferees have come back and reported in direct opposition to the instructions of the House. Why?

Because they have found in the conference that the bill would fail or else a compromise must be made; and as has been stated by the acting chairman of this committee [Mr. Foss] the conferees have sought in every possible way to convince the Senate that the language of the House is the more proper language to be adopted in this bill. But the Senate adhere to the language of their provision and are not willing to yield.

Now, I want to know if the members of the House here tonight, when they understand that a conference report is a compromise in itself, are going to humiliate three as able, honest, and efficient men as there are in this House by voting down this conference report?

I have known my colleague from Illinois [Mr. Foss] for years. I know that no more honest, faithful, and able man comes from the State of Illinois than he. [Applause.] I have known for many years also my colleague from West Virginia [Mr. DAYTON], and I can say the same thing of him, and also of that very efficient and able gentleman from New York [Mr. CUMMINGS], one of the most accomplished men of this House.

Now, I say that we owe a duty to this committee. We have in this bill all that we ought to ask in a conference report, and if we do our duty to the public, to the House, and to this committee, we will adopt the report. [Applause.]

Mr. SHAFROTH. I yield to the gentleman from Illinois [Mr. CANNON] two minutes.

Mr. CANNON. Mr. Speaker, time and again in my service in this House, where the House has voted down a conference report that I have had charge of, other conferees have been appointed, because I was not in harmony with the sentiment of the House. That is a well-known parliamentary situation. It never reflected on my honor, nor do I now reflect, nor have I reflected, on the honor of my colleague [Mr. Foss] or the gentleman from West Virginia [Mr. DAYTON] or the gentleman from New York [Mr. CUMMINGS].

Mr. KLUTTZ. You never pleaded the baby act.

Mr. CANNON. We were dealing with the parliamentary situation touching a great question, and I said, as is the truth, that these conferees on this question were not in harmony with the House. That in no way reflected upon their honor. Looking at my long-time colleague from Illinois [Mr. HOPKINS], I have quite as high an opinion of the honor of my colleague Mr. Foss as he has.

I am willing to let this matter rest upon its merits, and I will not be flushed nor dismayed by somebody claiming that his honor has been reflected upon when I in no sense have done so or sought to do so, nor do I believe that his honor is in any way involved. Let this matter be fought out upon its merits. If the House is right, then it is the duty of the Senate to recede, and I am ready for a vote.

Mr. SHAFROTH. I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the conference report.

The question was taken; and the Speaker announced that the noes appeared to have it.

Mr. DAYTON. Division, Mr. Speaker.

The House divided; and there were—ayes 83, noes 131.

So the House refused to agree to the conference report.

The SPEAKER. The gentleman from Illinois [Mr. CANNON] is recognized. The Clerk will report the first amendment.

The Clerk read as follows:
Amendment number 9.

Strike out "Ocean surveys: For special ocean surveys and the publication thereof, \$10,000," and insert: "Ocean and lake surveys: For hydrographic surveys, and for the purchase of nautical books, charts, and sailing directions, and freight and express charges on the same, \$100,000."

Mr. CANNON. Now, Mr. Speaker, am I recognized?

The SPEAKER. The gentleman from Illinois [Mr. CANNON] under all parliamentary practice is recognized, the other gentleman from Illinois [Mr. Foss] surrendering charge of this bill.

Mr. CANNON. Then, Mr. Speaker, I will do my duty as best I can. I move that the House further insist on its disagreement to amendment numbered 9, if that be the proper motion.

The SPEAKER. The gentleman from Illinois moves that the House further insist on its disagreement to amendment numbered 9.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

On page 52 strike out lines 18 to 22, inclusive.

Mr. CANNON. Now, Mr. Speaker, upon the remaining amendments, I believe four in number, I move that the House further insist upon its disagreement.

The SPEAKER. Upon the remaining amendments the gentleman from Illinois moves that the House further insist upon its disagreement to the Senate amendments.

The motion was agreed to.

Mr. CANNON. Mr. Speaker, I move that the House ask a conference.

The SPEAKER. The gentleman from Illinois moves that the House ask for a further conference.

The motion was agreed to.

The SPEAKER. The Chair announces the following managers on the part of the House: Mr. CANNON, Mr. MOODY of Massachusetts, and Mr. SHAFROTH. [Laughter and applause.]

Mr. GROSVENOR. I move that the House do now adjourn.

The SPEAKER. The gentleman from Ohio moves that the House do now adjourn.

Mr. CANNON. I should hope not.

Mr. GROSVENOR. Why should we not?

Mr. CANNON. I hope it will be voted down.

The question was taken; and the House refused to adjourn.

JAMES B. QUINN.

The SPEAKER. The Chair lays before the House the following Senate bill, substantially similar to a House bill which has been favorably reported from a committee, and is in order under the rules.

The Clerk read as follows:

A bill (S. 4756) directing the issue of a duplicate of lost check drawn by James B. Quinn, major, Corps of Engineers, United States Army, in favor of Henry N. Breneman.

Be it enacted, etc., That James B. Quinn, major, Corps of Engineers, United States Army, be, and he is hereby authorized and instructed to issue to D. C. Rollins a duplicate of an original check issued by said James B. Quinn on the 13th day of July, 1888, numbered 82227, upon the Assistant Treasurer of the United States at New Orleans, La., in favor of Henry L. Breneman, for the sum of \$15,348.90, which check is alleged to have been lost in transmission through the United States mails by James B. Quinn: Provided, That such duplicate check shall be issued under such regulations in regard to its issue and payment as have been prescribed by the Secretary of the Treasury for the issue of duplicate checks under the provisions of section 346 of the Revised Statutes of the United States, including an adequate bond of indemnity.

The bill was ordered to a third reading; and it was accordingly read the third time, and passed.

On motion of Mr. SHEPPARD, a motion to reconsider the vote by which the bill was passed was laid on the table.

ENROLLED BILLS SIGNED.

Mr. BAKER, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles; when the Speaker signed the same:

H. R. 9679. An act to authorize the construction of a railroad bridge across the Mississippi River at St. Paul, Minn.;

H. R. 11650. An act relating to certain railway corporations owning or operating street railways in the District of Columbia;

H. J. Res. 208. Joint resolution to pay the officers and employees of the Senate and House of Representatives their salaries for the month of June on the day following adjournment;

H. R. 10210. An act granting an increase of pension to Ellen Miles Brown;

H. R. 2322. An act for the relief of Joshua Bishop;

H. R. 10147. An act granting a pension to Delia A. Jones;

H. R. 504. An act granting an increase of pension to William T. Lowry;

H. R. 2357. An act for the relief of A. T. Hensley, survivor of Fulton & Hensley, doing business under the name of Lavaca Wharf Company;

H. R. 3044. An act for the relief of John M. Martin, of Ocala, Fla.;

H. R. 9139. An act making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1901, and for other purposes;

H. R. 2362. An act granting a pension to Bethuel H. Brasted;

H. R. 11214. An act to amend an act entitled "An act for the erection of a public building at Anniston, Ala."

H. R. 6063. An act to amend chapter 2 of the laws passed by the first session of the Fifty-fifth Congress of the United States, being an act entitled "An act making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1898, and for other purposes," approved June 4, 1897;

H. R. 9380. An act to authorize the Seneca Telephone Company to construct and maintain lines in the Indian Territory;

H. R. 2916. An act to grant right of way over Government lands for a pipe line for the conveyance of water to Flagstaff, Ariz.;

H. R. 9510. An act to amend section 1 of the act of Congress approved February 12, 1887, entitled "An act to amend section 1661 of the Revised Statutes, making an annual appropriation to provide arms and equipments for the militia;"

H. R. 3597. An act to incorporate the Frederick Douglass Memorial and Historical Association;

H. R. 7950. An act for the extension of Columbia road east of Thirteenth street, and for other purposes;

H. R. 11719. An act amending section 5270 of the Revised Statutes of the United States;

H. R. 602. An act granting an increase of pension to Charles H. Adams;

H. R. 7170. An act granting a pension to Clarence S. Hall;

H. R. 4468. An act to authorize the city of Tucson, Ariz., to issue bonds for waterworks, and for other purposes;

H. R. 9783. An act granting an increase of pension to Benjamin F. Dennis;

H. R. 9839. An act granting an increase of pension to Emily H. Wood;

H. R. 10665. An act to provide for the use of timber and stone for domestic and industrial purposes in the Indian Territory;

H. R. 10152. An act to provide for the sale of isolated and disconnected tracts or parcels of the Osage trust and diminished reserve lands in the State of Kansas;

H. R. 8475. An act granting an increase of pension to Alice de Vecch;

H. R. 5804. An act granting a pension to Byron F. Davis;

H. R. 9388. An act to provide better facilities for the safe-keeping and disbursement of public moneys in the Philippine Islands, and in the islands of Cuba and Porto Rico;

H. R. 1409. An act for the relief of Robert A. Ragan;

H. R. 10618. An act granting an increase of pension to Martin O'Connor;

H. R. 11538. An act making appropriations for the support of the Military Academy for the fiscal year ending June 30, 1901, and for other purposes;

H. R. 5508. An act granting an increase of pension to Jennie C. Taylor;

H. R. 8925. An act to authorize the detail of an officer of the retired list of the Army as adjutant-general of the District of Columbia militia;

H. R. 9827. An act to close all alleys in block 3 of the Walbridge subdivision of Ingleside, in the county of Washington;

H. R. 10060. An act granting an increase of pension to Wm. Fred M. Goins;

H. R. 6854. An act granting an increase of pension to Frederick W. Kellogg;

H. R. 11646. An act making provision for emergencies in river and harbor works, for certain surveys, and for the diversion of certain appropriations or modification of provisions heretofore made;

H. R. 5763. An act to extend the coal-land laws to the district of Alaska;

H. R. 11212. An act making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1901, and for other purposes;

H. R. 11738. An act for the relief of William L. Orr;

H. J. Res. 269. Joint resolution making appropriation for payment of the salaries of certain officers in the district of Alaska for the fiscal year ending June 30, 1901, and for other purposes;

H. R. 8665. An act authorizing and requiring the Metropolitan Railroad Company to extend its lines on old Sixteenth street;

H. R. 6490. An act granting a pension to Martha E. Horn;

H. R. 5203. An act granting a pension to Mary E. Dickey;

H. R. 2908. An act granting a pension to Frances A. Jones;

H. R. 1871. An act for the relief of E. B. Crozier, executrix of the last will of Dr. C. W. Crozier, of Tennessee;

H. R. 7066. An act granting an increase of pension to Hiram C. Childress;

H. R. 11326. An act to regulate the collection of taxes in the District of Columbia:

H. R. 11537. An act making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1900, and for prior years, and for other purposes;

H. R. 10308. An act to extend to certain publications the privilege of second-class mail matter as to admission to the mails;

H. R. 4915. An act to amend the seventh section of the act entitled "An act to establish circuit courts of appeals, and to define and regulate in certain cases the jurisdiction of the courts of the United States, and for other purposes," approved March 3, 1891;

H. R. 5355. An act for the relief of John D. Hale, of Tilford, Meade County, S. Dak.;

H. R. 437. An act granting a pension to Mary E. Reynolds;

H. R. 9237. An act granting an increase of pension to Robert J. Carr;

H. R. 8686. An act granting a pension to James A. Fulson;

H. R. 9308. An act granting an increase of pension to Joseph M. Shaw; and

H. R. 7483. An act for the relief of James T. Ellis, of Rankin County, Miss.

The SPEAKER announced his signature to enrolled bills and joint resolutions of the following titles:

S. 2931. An act to incorporate the American National Red Cross, and for other purposes;

S. R. 132. Joint resolution authorizing foreign exhibitors at the Pan-American Exposition, to be held in Buffalo, N. Y., in 1901, to bring to this country foreign laborers from their respective countries for the purpose of preparing for and making their exhibits, under regulations prescribed by the Secretary of the Treasury;

S. R. 131. Joint resolution authorizing foreign exhibitors at the Ohio Centennial and Northwest Territory Exposition, to be held in Toledo, Ohio, in 1902, to bring to this country foreign laborers from their respective countries for the purpose of preparing for and making their exhibits, under regulations prescribed by the Secretary of the Treasury;

S. 3301. An act to provide an American register for the barge *Davison*;

S. 3296. An act to provide for the establishment of a port of delivery at Worcester, Mass.;

S. 4658. An act relating to the anchorage of vessels in the Kennebec River at or near Bath, Me.;

S. 4448. An act to provide an American register for the ships *Star of Italy* and *Star of Bengal*;

S. 129. An act authorizing the President to appoint George W. Kirkman to be a captain of infantry, United States Army;

S. 2581. An act to incorporate the National White Cross of America, and for other purposes;

S. R. 72. Joint resolution authorizing the President of the United States to appoint David Bagley as an additional cadet at the Naval Academy, Annapolis, Md.;

S. 41. An act to authorize the President to place Andrew Geddes on the retired list with the rank of captain;

S. 3419. An act making further provision for a civil government for Alaska, and for other purposes;

S. 1489. An act granting an increase of pension to Robert C. Rogers;

S. 2111. An act granting a pension to Ira Doane;

S. 2497. An act granting an increase of pension to Sarah W. Rowell;

S. 4075. An act to amend an act to prohibit the passage of special or local laws in the Territories, to limit the Territorial indebtedness, etc.;

S. R. 28. Joint resolution relating to the use of the rooms lately occupied by the Congressional Library in the Capitol;

S. 4532. An act for reestablishing the range lights on the Delaware River, known as Finns Point range, Reedy Island range, and Port Penn range;

S. 255. An act to ratify an agreement with the Indians of the Fort Hall Indian Reservation in Idaho, making appropriations to carry the same into effect;

S. R. 122. Joint resolution respecting the unveiling of the statue of Lafayette at Paris, France, July 4, 1900;

S. 1746. An act to provide for the inspection of the boilers of the *Alvina* and *Ailsa*;

S. 4020. An act to amend the act of Congress approved May 14, 1880, entitled "An act for the relief of settlers on the public lands;"

S. 1794. An act for the relief of Fred Weddle; and

S. 2284. An act to establish a fish-hatching and fish station in the State of West Virginia.

SENATE BILL REFERRED.

Under clause 2 of Rule XXIV, Senate bill of the following title was taken from the Speaker's table and referred to its appropriate committee as indicated below:

S. 328. An act for the relief of Richard King—to the Committee on Claims.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

A message in writing from the President of the United States was communicated to the House of Representatives by Mr. PRUDEN, one of his secretaries, who also announced that the President had approved and signed bills of the following titles:

On June 5, 1900:

H. R. 1570. An act granting a pension to Susie Margarite Landrum;

H. R. 1748. An act granting a pension to Ellen V. McCleery;

H. R. 1797. An act granting a pension to Jane Lucas;

H. R. 2020. An act granting a pension to Clarissa Carruth;

H. R. 2726. An act granting a pension to James A. Root;

H. R. 3513. An act granting a pension to Edwin Hurlburt;

H. R. 3869. An act granting a pension to Joseph H. Hamrick and Ella G. Hamrick;

H. R. 4424. An act granting a pension to Isaac N. Jennings;

H. R. 5192. An act granting a pension to Louise Adams;

H. R. 5695. An act granting a pension to Matilda Reeves;

H. R. 6091. An act granting a pension to Mary A. Fullerton;

H. R. 6164. An act granting a pension to Julia Traynor;

H. R. 6352. An act granting a pension to Lizzie B. Leitch;

H. R. 6564. An act granting a pension to Anna M. Starr;

H. R. 6990. An act granting a pension to Patrick O'Donnell;

H. R. 7145. An act granting a pension to Catharine A. Slayton;

H. R. 7588. An act granting a pension to Robert Patterson;

H. R. 8476. An act granting a pension to Christopher Costello;

H. R. 8592. An act granting a pension to Elizabeth J. Fields;

H. R. 8992. An act granting a pension to Margaret J. Kibble;

H. R. 9194. An act granting a pension to Sarah Elvira C. Upham;

H. R. 9419. An act granting a pension to Henrietta P. Cotter;

H. R. 9740. An act granting a pension to Sophia A. Lane;

H. R. 9752. An act granting a pension to Margaret Thornberry;

H. R. 9915. An act granting a pension to Madison T. Trent;

H. R. 10443. An act granting a pension to Anna C. White;

H. R. 10581. An act granting a pension to Joseph B. McGahan;

H. R. 10870. An act granting a pension to Herbert J. Graff;

H. R. 538. An act granting an increase of pension to Charles F. Winch;

H. R. 852. An act granting an increase of pension to James Cooper;

H. R. 1801. An act granting an increase of pension to Elijah Biddle;

H. R. 2126. An act granting an increase of pension to William H. Capehart;

H. R. 3082. An act granting an increase of pension to Joseph H. Sparks;

H. R. 3495. An act granting an increase of pension to Levi G. Wilgus;

H. R. 4118. An act granting an increase of pension to Enos H. Kirk;

H. R. 5549. An act granting an increase of pension to David H. Ingerson;

H. R. 5929. An act granting an increase of pension to Barton Acuff;

H. R. 6425. An act granting an increase of pension to William H. Wendell;

H. R. 6559. An act granting an increase of pension to Genevieve Laighton;

H. R. 6919. An act granting an increase of pension to John Blanchard;

H. R. 7186. An act granting an increase of pension to Sylvester Doss, alias Harry S. Doss;

H. R. 7852. An act granting an increase of pension to Oliver M. Brown;

H. R. 8044. An act granting an increase of pension to James M. Barrett;

H. R. 8211. An act granting an increase of pension to William Shulmire;

H. R. 8235. An act granting an increase of pension to Daniel Metcalf;

H. R. 8236. An act granting an increase of pension to James M. Dennison;

H. R. 8404. An act granting an increase of pension to Timothy A. Lewis;

H. R. 8536. An act granting an increase of pension to Robert Anderson, Jr.;

H. R. 8885. An act granting an increase of pension to Sara H. M. Miley;

H. R. 8888. An act granting an increase of pension to Henry O'Connor;

H. R. 9175. An act granting an increase of pension to Stella B. Armstrong;

H. R. 9236. An act granting an increase of pension to Herman S. Soules;

H. R. 9424. An act granting an increase of pension to George Cronk;

- H. R. 9775. An act granting an increase of pension to William A. Hempstead;
- H. R. 9826. An act granting an increase of pension to Russell L. Moore;
- H. R. 10412. An act granting an increase of pension to George B. Abbott;
- H. R. 10455. An act granting an increase of pension to Bertha G. Kimball;
- H. R. 10612. An act granting an increase of pension to Richard Harden;
- H. R. 10710. An act granting an increase of pension to Elizabeth S. Seymour; and
- H. R. 6250. An act for the relief of the Colorado Cooperative Colony, to permit second homesteads in certain cases, and for other purposes.
- On June 6, 1900:
- H. R. 5264. An act for the relief of the estate of Maj. Guy Howard, deceased;
- H. R. 1992. An act for the relief of Mathias Pederson;
- H. R. 9679. An act to authorize the construction of a railroad bridge across the Mississippi River at St. Paul, Minn.; and
- H. R. 10650. An act to authorize the Alexandria and Pineville Bridge Company to build and maintain a traffic bridge across Red River at the town of Alexandria, in the parish of Rapides, State of Louisiana.
- H. R. 5296. An act establishing terms of the United States circuit court at Newbern and Elizabeth City, N. C.; and
- H. R. 2884. An act to create a commission to make settlement and adjustment with the Sioux City and Pacific Railroad Company of its indebtedness to the Government of the United States.
- On June 6, 1900:
- H. J. Res. 247. Joint resolution to authorize and empower the Banco Espanol de Puerto Rico (Spanish Bank of Porto Rico) to amend its by-laws.
- H. R. 10308. An act to extend to certain publications the privileges of second-class mail matter as to admission to the mails;
- H. J. Res. 268. Joint resolution to pay the officers and employees of the Senate and House of Representatives their salaries for the month of June on the day following adjournment;
- On June 6, 1900:
- H. R. 2916. An act to grant right of way over Government lands for a pipe line for the conveyance of water to Flagstaff, Ariz.;
- H. R. 2936. An act changing place for holding court in the central division of the Indian Territory from Cameron to Poteau, and for other purposes;
- H. R. 3597. An act to incorporate the Frederick Douglass Memorial and Historical Association;
- H. R. 4468. An act to authorize the city of Tucson, Ariz., to issue bonds for waterworks, and for other purposes;
- H. R. 6063. An act to amend chapter 2 of the laws passed by the first session of the Fifty-fifth Congress of the United States, being an act entitled "An act making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1898, and for other purposes," approved June 4, 1897;
- H. R. 7950. An act for the extension of Columbia road east of Thirteenth street, and for other purposes;
- H. R. 8665. An act authorizing and requiring the Metropolitan Railroad Company to extend its lines on old Sixteenth street;
- H. R. 8925. An act to authorize the detail of an officer of the retired list of the Army as adjutant-general of the District of Columbia militia.
- H. R. 9388. An act to provide better facilities for the safe-keeping and disbursement of public money in the Philippine Islands and in the islands of Cuba and Porto Rico;
- H. R. 9389. An act to authorize the Seneca Telephone Company to construct and maintain lines in the Indian Territory;
- H. R. 9510. An act to amend section 1 of the act of Congress approved February 12, 1887, entitled "An act to amend section 1661 of the Revised Statutes, making an annual appropriation to provide arms and equipments for the militia."
- H. R. 9827. An act to close all alleys in block 3 of the Walbridge subdivision of Ingleside, in the county of Washington;
- H. R. 10152. An act to provide for the sale of isolated and disconnected tracts or parcels of the Osage trust and diminished reserve lands in the State of Kansas;
- H. R. 10665. An act to provide for the use of timber and stone for domestic and industrial purposes in the Indian Territory;
- H. R. 11214. An act to amend an act entitled "An act for the erection of a public building at Anniston, Ala.;"
- H. R. 11719. An act amending section 5270 of the Revised Statutes of the United States;
- H. R. 11646. An act making provision for emergencies in river and harbor works, for certain surveys, and for the diversion of certain appropriations or modification of provisions heretofore made;
- H. R. 11537. An act making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1900, and for prior years, and for other purposes;
- H. R. 9130. An act making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1901, and for other purposes;
- H. R. 11538. An act making appropriations for the support of the Military Academy for the fiscal year ending June 30, 1901, and for other purposes;
- H. R. 2362. An act granting a pension to Bethuel H. Brasted;
- H. R. 2903. An act granting a pension to Frances A. Jones;
- H. R. 5804. An act granting a pension to Byron F. Davis;
- H. R. 5208. An act granting a pension to Mary E. Dickey;
- H. R. 6490. An act granting a pension to Martha E. Horn;
- H. R. 7179. An act granting a pension to Clarence S. Hall;
- H. R. 10147. An act granting a pension to Delia A. Jones;
- H. R. 602. An act granting an increase of pension to Charles H. Adams;
- H. R. 5508. An act granting an increase of pension to Jennie C. Taylor;
- H. R. 6854. An act granting an increase of pension to Frederick W. Kellogg;
- H. R. 7066. An act granting an increase of pension to Hiram C. Childress;
- H. R. 8475. An act granting an increase of pension to Alice de Vecchij;
- H. R. 9783. An act granting an increase of pension to Benjamin F. Dennis;
- H. R. 9839. An act granting an increase of pension to Emily H. Wood;
- H. R. 10080. An act granting an increase of pension to Winefred M. Goins;
- H. R. 10210. An act granting an increase of pension to Ellen Miles Brown;
- H. R. 10618. An act granting an increase of pension to Martin O'Connor;
- H. R. 1409. An act for the relief of Robert A. Ragan;
- H. R. 1871. An act for the relief of E. B. Crozier, executrix of the last will of Dr. C. W. Crozier, of Tennessee;
- H. R. 2322. An act for the relief of Joshua Bishop;
- H. R. 2357. An act for the relief of A. T. Hensley, survivor of Fulton & Hensley, doing business under the name of Lavaca Wharf Company; and
- H. R. 3044. An act for the relief of John M. Martin, of Ocala, Fla.
- Joint resolution of the following number and title, approved June 6, 1900, by the President:
- H. J. Res. 260. Joint resolution making appropriation for payment of the salaries of certain officers in the district of Alaska for the fiscal year ending June 30, 1901, and for other purposes.
- H. R. 11326. An act to regulate the collection of taxes in the District of Columbia.

SENATE BILLS REFERRED.

Under clause 2 of Rule XXIV, Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees as indicated below:

S. 4607. An act to provide for the settlement of accounts between the United States and the State of South Carolina—to the Committee on War Claims.

S. 4869. An act providing for the retirement of certain officers of the Army—to the Committee on Military Affairs.

S. 3562. An act to establish a quartermaster's depot at Omaha, Nebr., and for other purposes—to the Committee on Public Buildings and Grounds.

S. 3343. An act granting an increase of pension to Keziah Fansler—to the Committee on Invalid Pensions.

S. 3385. An act to provide for the purchase of a site and the erection of a public building thereon at Laramie, in the State of Wyoming—to the Committee on Public Buildings and Grounds.

S. 4044. An act to provide for the appointment of dental surgeons for service in the United States Army—to the Committee on Military Affairs.

S. 3054. An act to amend section 13 of an act entitled "An act for increasing the efficiency of the Army of the United States, and for other purposes," approved March 2, 1899—to the Committee on Military Affairs.

S. 3208. An act for the erection of a public building at Green Bay, Wis.—to the Committee on Public Buildings and Grounds.

S. 3422. An act to equalize the rank and pay of certain retired officers of the Navy—to the Committee on Naval Affairs.

S. 1992. An act for the payment of Porter, Harrison, & Fishback for legal services—to the Committee on War Claims.

S. 1661. An act for the relief of George W. Graham—to the Committee on Claims.

S. 1618. An act to confer jurisdiction upon the Court of Claims to hear and adjudicate the claim of the personal representatives

of William Kiskadden, deceased—to the Committee on War Claims.

S. 4207. An act to increase the limit of cost for the purchase of a site and erection of a building thereon at Helena, Mont.—to the Committee on Public Buildings and Grounds.

S. 4742. An act granting an increase of pension to Jesse F. Gates—to the Committee on Pensions.

S. R. 130. Joint resolution making an emergency appropriation for the repair of certain roads and bridges in the District of Columbia—to the Committee on Appropriations.

Mr. PAYNE. Mr. Speaker, I move that the House take a recess until 10 o'clock to-morrow morning.

The motion was agreed to; and accordingly (at 10 o'clock and 25 minutes p. m., Wednesday, June 6) the House was declared in recess until 10 o'clock a. m. Thursday, June 7.

AFTER THE RECESS.

The recess having expired, the House was called to order at 10 o'clock a. m. by the Speaker.

Mr. PAYNE. Mr. Speaker, I am informed that the conferees on the naval appropriation bill are to commence their session at 10 o'clock this morning, and it seems to me there is no use for the House to remain in session for this day, and I move that we now adjourn.

The motion was agreed to; and accordingly (at 10 o'clock and 1 minute a. m.) the House adjourned until 12 o'clock m., Thursday, June 7, 1900.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, a letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination and survey of Detroit River, Michigan, was taken from the Speaker's table, referred to the Committee on Rivers and Harbors, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

Mr. DICK, from the Committee on Military Affairs, to which was referred the resolution of the House (H. Res. 31) on the conduct of the United States Army and its office in the State of Idaho, submitted a report (No. 1999), with the views of the minority; which was ordered to be printed.

Mr. ESCH, from the Committee on the Public Lands, to which was referred the bill of the House (H. R. 8249) fixing the times when, regulating the manner in which, and declaring the character of the accounts between the United States and the several public-land States, relative to the net proceeds of the sales and other disposition of the public lands made and to be made therein by the United States, which shall hereafter be stated and certified to the Treasury Department for payment, reported the same with amendment, accompanied by a report (No. 2004); which said bill and report were referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House as follows:

Mr. HEDGE, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 5610) granting a pension to Mrs. Elizabeth B. McClellan, reported the same with amendment, accompanied by a report (No. 1994); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 2777) granting a pension to Benjamin F. Trapp, reported the same without amendment, accompanied by a report (No. 1995); which said bill and report were referred to the Private Calendar.

Mr. NEEDHAM, from the Committee on Claims, to which was referred the bill of the House (H. R. 7099) to pay Samuel Lee for services in the Forty-seventh Congress, reported the same without amendment, accompanied by a report (No. 1997); which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS INTRODUCED.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. LENTZ: A bill (H. R. 12165) authorizing and directing the construction of an addition to the United States Government building in the city of Columbus, Ohio—to the Committee on Public Buildings and Grounds.

By Mr. FITZGERALD of Massachusetts: A bill (H. R. 12166) to place children in the care or control of the Board of Children's Guardians in private families—to the Committee on the District of Columbia.

By Mr. KAHN: A bill (H. R. 12167) for the proper labeling of wine purporting to be champagne—to the Committee on Interstate and Foreign Commerce.

By Mr. MUDD: A bill (H. R. 12168) authorizing the Secretary of the Navy, in his discretion, to contract for the construction of a dry dock at or near St. Marys City, on the St. Marys River, between said St. Marys City and the mouth of said river, upon the Potomac River, Maryland—to the Committee on Naval Affairs.

By Mr. CALDWELL: A bill (H. R. 12169) authorizing and directing the Secretary of the Treasury to adjust and pay certain claims of the State of Illinois—to the Committee on War Claims.

By Mr. DE VRIES: A bill (H. R. 12170) providing for the purchase of a site and the erection of a plant for the manufacture of small arms at Sacramento, Cal.—to the Committee on Military Affairs.

By Mr. UNDERHILL: A bill (H. R. 12171) for the improvement of Echo Bay Harbor, New Rochelle, N. Y.—to the Committee on Rivers and Harbors.

By Mr. WM. ALDEN SMITH: A bill (H. R. 12198) to increase the pension of totally deaf soldiers—to the Committee on Invalid Pensions.

By Mr. MUDD: A bill (H. R. 12199) to authorize the Commissioners of the District of Columbia to open, grade, and extend Albemarle street, in the District of Columbia, from Connecticut avenue to Rock Creek Park—to the Committee on the District of Columbia.

By Mr. CANNON: A joint resolution (H. J. Res. 269) making appropriations for payment of the salaries of certain officers in the district of Alaska for the fiscal year ending June 30, 1901, and for other purposes—Ordered to be printed.

By Mr. ESCH: A joint resolution (H. J. Res. 270) directing the Director of the Census to compile certain reports containing statistics relating to naturalization, the civil and political restrictions upon aliens, and so forth—to the Select Committee on the Census.

PRIVATE BILLS AND RESOLUTIONS INTRODUCED.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. BAKER: A bill (H. R. 12172) for the relief of Alfred A. Mitten—to the Committee on Military Affairs.

By Mr. CALDERHEAD: A bill (H. R. 12173) for the relief of the officers and enlisted men of the Eighteenth and Nineteenth Kansas Infantry Volunteers and their widows and orphans—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12174) for the relief of M. L. Duncan—to the Committee on Indian Affairs.

By Mr. GLYNN: A bill (H. R. 12175) to correct military record of Harrison Clark—to the Committee on Military Affairs.

By Mr. HOFFECKER: A bill (H. R. 12176) for the relief of the legal representatives of Pusey, Jones & Co.—to the Committee on War Claims.

By Mr. MIERS of Indiana: A bill (H. R. 12177) granting an increase of pension to Mary E. May—to the Committee on Invalid Pensions.

By Mr. RIXEY: A bill (H. R. 12178) for the relief of the legal representatives of S. A. Buckner—to the Committee on War Claims.

By Mr. SAMUEL W. SMITH: A bill (H. R. 12179) to increase the pension of Morgan Sitts—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12180) to increase the pension of Gilbert L. Pierce—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12181) to increase the pension of Alvah Reynolds—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12182) to increase the pension of Alonson A. Austin—to the Committee on Invalid Pensions.

By Mr. DICK: A bill (H. R. 12183) granting an increase of pension to Lewis N. Payne—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12184) for the relief of Thomas Jefferson Holmes—to the Committee on Invalid Pensions.

By Mr. GREENE of Massachusetts: A bill (H. R. 12185) granting

an increase of pension to Albert A. Crapo—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12186) granting an increase of pension to John F. McMahon—to the Committee on Invalid Pensions.

By Mr. LENTZ: A bill (H. R. 12187) granting an increase of pension to Charles H. Miller—to the Committee on Invalid Pensions.

By Mr. LITTLE: A bill (H. R. 12188) for the relief of J. J. May—to the Committee on War Claims.

By Mr. MUDD: A bill (H. R. 12189) for the relief of the legal representatives of John H. Sothoron—to the Committee on War Claims.

By Mr. NAPHEN: A bill (H. R. 12190) to place on pension roll the name of Patrick Connelly—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12191) to place on the pension roll the name of Mary J. Nelson—to the Committee on Invalid Pensions.

By Mr. SMITH of Kentucky: A bill (H. R. 12192) for the relief of the estate of Harvey Woodward—to the Committee on War Claims.

By Mr. WM. ALDEN SMITH: A bill (H. R. 12193) for the relief of Lucy A. Taylor—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12194) to increase the pension of Thomas Sherry—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12195) granting a pension to Mercy Cluff—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12196) granting a pension to Elizabeth Yates—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12197) granting a pension to Henry Cook—to the Committee on Invalid Pensions.

By Mr. SALMON: A bill (H. R. 12200) granting an increase of pension to James H. T. Hummer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12201) granting an increase of pension to James Coulter—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12202) granting an increase of pension to Nathaniel K. Bray—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12203) granting an increase of pension to George W. Ward—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12204) granting an increase of pension to Mary A. Tunis—to the Committee on Invalid Pensions.

By Mr. CALDERHEAD: A bill (H. R. 12205) for the relief of Martin Mullins—to the Committee on Military Affairs.

By Mr. LENTZ: A bill (H. R. 12206) for the relief of Henry Fulkerson, a prisoner of war—to the Committee on War Claims.

By Mr. CALDERHEAD: A bill (H. R. 12207) granting increase of pension to Lewis Geague—to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ACHESON: Resolution of Allegheny County Pomona Grange, No. 42, Patrons of Husbandry, of Pennsylvania, urging the passage of the Grout bill taxing oleomargarine—to the Committee on Agriculture.

By Mr. BURLESON: Report of committee of board of curators of Southwestern University, on the revenue law taxing legacies—to the Committee on Ways and Means.

By Mr. BUTLER: Petition of farmers of Chester County, Pa., in favor of the bill to increase the tax on oleomargarine—to the Committee on Agriculture.

Also, petitions of the Woman's Christian Temperance Union and certain churches of Coventryville, Pa., urging the passage of the Bowersock bill to prevent the sale of liquor in any post exchange, transport, or premises used for military purposes, and against saloons in our new possessions—to the Committee on Military Affairs.

By Mr. CROMER: Petitions of numerous citizens of the State of Indiana, against the passage of House bill No. 6071, relating to second-class mail matter—to the Committee on the Post-Office and Post-Roads.

By Mr. FLETCHER: Petitions of Stewart Memorial Presbyterian Church, Bethlehem Presbyterian Church, Simpson Methodist Episcopal Church, and the Woman's Christian Temperance Union, of Minneapolis, Minn., for the passage of a bill to forbid liquor selling in canteens and in the Army, Navy, post exchanges, etc.—to the Committee on Military Affairs.

By Mr. GARDNER of Michigan (by request): Petitions of the Woman's Christian Temperance Union and Methodist Episcopal and Congregational churches, of Pittsford, Mich., urging the passage of the bill to prevent the sale of liquor in any post exchange, transport, or premises used for military purposes—to the Committee on Military Affairs.

Also, petition of the Woman's Christian Temperance Union of

Pittsford, Mich., relative to saloons, opium, and gambling in the new possessions—to the Committee on Insular Affairs.

By Mr. GLYNN: Papers to accompany House bill to amend the record of Harrison Clark—to the Committee on Military Affairs.

By Mr. LITTLE: Papers to accompany House bill for the relief of J. J. May, of Jefferson County, Ark.—to the Committee on War Claims.

By Mr. LITTLEFIELD: Petition of A. R. Reed and 20 other citizens of Waldoboro, Me., for the dredging of Modomac River—to the Committee on Rivers and Harbors.

Also, petitions of citizens of Auburn, Readfield, Springvale, Augusta, and farmers of Franklin and Oxford counties, Me., urging the passage of the Grout bill taxing oleomargarine—to the Committee on Agriculture.

By Mr. MIERS of Indiana: Papers to accompany House bill granting a pension to Mary E. May, widow of Augustus May, late of Company B, Second Regiment Indiana Infantry Volunteers—to the Committee on Invalid Pensions.

By Mr. RIXEY: Paper to accompany House bill for the relief of the legal representatives of S. A. Buckner, deceased, of Loudoun County, Va.—to the Committee on War Claims.

By Mr. SMALL: Petition of Mrs. Clayton W. Boyd and 55 others, of Belhaven, N. C., for the passage of a bill giving prohibition to our new possessions and favoring the anti-canteen law—to the Committee on Insular Affairs.

By Mr. SMITH of Kentucky: Papers to accompany House bill for the relief of the estate of Harvey Woodward, deceased—to the Committee on War Claims.

By Mr. WM. ALDEN SMITH: Resolutions of the National Association of Chamber Suite and Case Workers, at Chicago, Ill., for reduction of the tariff on plate glass—to the Committee on Ways and Means.

SENATE.

THURSDAY, June 7, 1900.

The Senate met at 11 o'clock a. m.

The PRESIDENT pro tempore. The Secretary will read the Journal of the last legislative day.

On request of Mr. GALLINGER, and by unanimous consent, the reading of the Journal of yesterday's proceedings was dispensed with.

The PRESIDENT pro tempore. The Journal, without objection, will stand approved.

CONSIDERATION OF PENSION BILLS.

Mr. COCKRELL. I ask unanimous consent that the Senate now take up and consider the unobjected House pension bills on the Calendar. There are about fifty or sixty of them, and they can be passed and become laws at this session.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and it is so ordered. The first pension bill on the Calendar will be announced.

Mr. GALLINGER. The first is Order of Business 1426, House bill 3068.

EVAN M. WOODWARD.

The bill (H. R. 3068) granting an increase of pension to Evan M. Woodward was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Evan M. Woodward, late adjutant Second Regiment Pennsylvania Volunteer Reserve Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

HANNAH KENNEDY.

The bill (H. R. 1230) granting a pension to Hannah Kennedy was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Hannah Kennedy, dependent mother of Darby Graley, late of Company F, Fifteenth Regiment Iowa Volunteer Infantry, and to pay her a pension of \$12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

URI S. KEITH.

The bill (H. R. 5390) granting an increase of pension to Uri S. Keith was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Uri S. Keith, late second lieutenant Company C, First Regiment Ohio Heavy Artillery, and to pay him a pension of \$40 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN P. PEPPER.

The bill (H. R. 8829) granting an increase of pension to John P. Pepper was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John P. Pepper, late private of Company I, Twenty-seventh Regiment Massachusetts Volunteer Infantry, and to pay him a pension of \$50 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

VIRGINIA HULL.

The bill (H. R. 5555) granting a pension to Virginia Hull was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 6, before the word "daughter," to insert "and dependent;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Virginia Hull, helpless and dependent daughter of Egbert B. Hull, late first lieutenant of Company E, One hundred and twenty-fifth Regiment New York Volunteer Infantry, and pay her a pension at the rate of \$12 per month.

Mr. GALLINGER. Let the committee amendment be disagreed to.

The amendment was rejected.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN F. KELLY.

The bill (H. R. 9207) granting a pension to John F. Kelly was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 6, before the word "son," to insert "and dependent;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John F. Kelly, helpless and dependent son of John F. Kelly, late of Company F, Fourth Regiment Rhode Island Volunteer Infantry, and pay him a pension at the rate of \$12 per month.

Mr. GALLINGER. Let this committee amendment be disagreed to likewise.

The amendment was rejected.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JAMES M. ELLETT.

The bill (H. R. 3526) granting a pension to James M. Ellett was considered as in Committee of the Whole. It proposes to place on the pension roll the name of James M. Ellett, late of Battery G, Second United States Artillery, Seminole Indian war, and to pay him a pension of \$8 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

AMANDA HURD.

The bill (H. R. 5647) granting a pension to Amanda Hurd was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Amanda Hurd, destitute and insane daughter of Isaac Hurd, late of Capt. Burton Strait's company of Vermont Volunteers, war of 1812, and upon the appointment of a guardian of the person and estate of said Amanda Hurd, and to pay to the guardian, for the sole and exclusive benefit of Amanda Hurd, a pension of \$12 per month from the date of the passage of this act.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

LEWIS OLIVER.

The bill (H. R. 10082) granting an increase of pension to Lewis Oliver was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Lewis Oliver, late of Company K, One hundred and eighth Regiment New York Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ELLEN A. SPALDING.

The bill (H. R. 5673) granting an increase of pension to Ellen A. Spalding was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "twenty-four" and insert "twenty;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Ellen A. Spalding, widow of William P. Spalding, late of Company I, Fifth Regiment Vermont Volunteer Infantry, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving: *Provided*, however, That in the case of the death of the

helpless daughter of said William P. Spalding, on whose account this increase of pension is allowed, the pension of said Ellen A. Spalding shall continue only at the rate of \$8 per month from and after the death of such helpless daughter.

The amendment was agreed to.

The bill was reported to the Senate as amended and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

MAGGIE D. CHAPMAN.

The bill (H. R. 2694) granting a pension to Maggie D. Chapman was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 6, before the word "dependent," to insert "helpless and;" and in line 9, before the word "dollars," to strike out "thirty" and insert "twelve;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Maggie D. Chapman, helpless and dependent daughter of William T. Chapman, late Lieutenant-colonel Thirty-eighth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of \$12 per month.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

MARIA V. SFERRY.

The bill (H. R. 4991) granting a pension to Maria V. Sperry was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Maria V. Sperry, widow of William Sperry, late private of Company K, Fifth Regiment West Virginia Volunteer Infantry, and to pay her a pension of \$8 per month; such pension, however, to cease upon proof that the soldier named in the bill is still living.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

FRANK A. W. SHAW.

The bill (H. R. 4898) granting a pension to Frank A. W. Shaw was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Frank A. W. Shaw, dependent and helpless son of Nathaniel H. Shaw, late of Company B, Thirty-ninth Regiment Ohio Volunteer Infantry, and to pay him a pension of \$12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MELISSA RUSH.

The bill (H. R. 4241) granting an increase of pension to Melissa Rush was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Melissa Rush, widow of Salathiel Rush, late of Company F, Sixty-third Regiment Ohio Volunteer Infantry, and to pay her a pension of \$24 per month in lieu of that she is now receiving. But in case of the death of the helpless child, Alverdie Rush, on whose account the pension of Melissa Rush is increased, the pension shall continue only at \$12 per month from and after the date of death of the helpless child.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MELISSA A. TRULOCK.

The bill (H. R. 9749) granting a pension to Melissa A. Trulock was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 6, before the word "dependent," to insert "helpless and;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Melissa A. Trulock, helpless and dependent daughter of William H. Trulock, late corporal, Company H, Eighty-sixth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of \$12 per month.

The motion was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

LENA E. PATTERSON.

The bill (H. R. 156) granting a pension to Lena E. Patterson was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 6, before the word "dependent," to insert "helpless and;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby authorized and directed to place on the pension roll, subject to the provisions

and limitations of the pension laws, the name of Lena E. Patterson, helpless and dependent daughter of Washington Patterson, late of Company B, Nineteenth Regiment Maine Volunteer Infantry, and pay her a pension at the rate of \$12 per month.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

EDWARD J. TRUSSLER.

The bill (H. R. 8898) granting an increase of pension to Edward J. Trussler was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Edward J. Trussler, late of the Sixth Independent Battery, New York Volunteer Light Artillery, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN D. CRAIG.

The bill (H. R. 4577) granting an increase of pension to John D. Craig was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John D. Craig, late of Company M, Fourth Regiment Illinois Volunteer Cavalry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WILLIAM H. MC'LYMAN.

The bill (H. R. 4999) granting an increase of pension to William H. McLyman was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William H. McLyman, late captain and commissary of subsistence, United States Volunteers, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

THOMAS B. HOLLAND.

The bill (H. R. 5439) granting an increase of pension to Thomas B. Holland was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Thomas B. Holland, late of Company K, One hundred and eighteenth Regiment Ohio Volunteer Infantry, and of Company K, Fourteenth Regiment Missouri Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

THOMAS C. MILLS.

The bill (H. R. 8157) granting an increase of pension to Thomas C. Mills was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Thomas C. Mills, late band leader of the Forty-eighth Regiment Illinois Volunteer Infantry, and to pay him a pension of \$20 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MARY W. CLARK.

The bill (H. R. 10071) granting an increase of pension to Mary W. Clark was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Mary W. Clark, widow of James C. Clark, late of Company G, Third Regiment Massachusetts Volunteer Infantry, and to pay her a pension of \$12 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

LYDIA A. STOCKWELL.

The bill (H. R. 4942) granting a pension to Lydia A. Stockwell was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Lydia A. Stockwell, widow of Henry A. Stockwell, late of Company C, First Regiment of Vermont Volunteer Cavalry, and to pay her a pension of \$8 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN K. CROSBY.

The bill (H. R. 8829) granting an increase of pension to John K. Crosby was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John K. Crosby, late acting master, United States Navy, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ANNIE E. BELL.

The bill (H. R. 8114) granting a pension to Annie E. Bell was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Annie E. Bell, widow of George W. Bell, late of Company A, Second Regiment New York Volunteer Cavalry, and to pay her a pension of \$8 per month, and \$2 per month additional for the minor child of said soldier.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JAMES ANDERSON.

The bill (H. R. 9481) granting an increase of pension to James Anderson was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "forty" and insert "thirty," so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of James Anderson, late of Company A, Second Regiment Provisional Enrolled Missouri Militia, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

JOSEPHINE B. WOOD.

The bill (H. R. 8217) granting a pension to Josephine B. Wood was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Josephine B. Wood, widow of Theodore A. Wood, late of Company F, First Regiment Minnesota Volunteer Infantry, and to pay her a pension of \$8 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

RACHEL M. HARVEY.

The bill (H. R. 4627) granting a pension to Rachel M. Harvey was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Rachel M. Harvey, widow of John P. Harvey, late of Company L, Sixteenth Regiment Kansas Volunteer Cavalry, and to pay her a pension of \$12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

Alice A. Hartz.

The bill (H. R. 4450) granting a pension to Alice A. Hartz was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 6, before the word "daughter," to insert "and dependent," so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Alice A. Hartz, helpless and dependent daughter of John Hartz, late of Company H, One hundred and ninety-fifth Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of \$12 per month.

Mr. COCKRELL. Is the amendment necessary?

Mr. GALLINGER. Let the amendment be disagreed to. It is not important.

The amendment was rejected.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

LOUISA WEIDNER.

The bill (H. R. 4455) granting a pension to Louisa Weidner was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Louisa Weidner, widow of Josiah Weidner, late private, Company D, Fifty-first Regiment Pennsylvania Volunteer Infantry, and to pay her a pension of \$12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

HELEN MAUCK.

The bill (H. R. 4571) granting an increase of pension to Helen Mauck, was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Helen Mauck, widow of Clarence Mauck, late major Ninth United States Cavalry, and to pay her a pension of \$30 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOSEPH L. THOMAS.

The bill (H. R. 9093) granting an increase of pension to Joseph L. Thomas, was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an

amendment, in line 9, before the word "dollars," to strike out "fifty" and insert "thirty;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Joseph L. Thomas, late a private of Walling's light battery, Mississippi Marine Brigade, and of Battery E, First Regiment Missouri Volunteer Light Artillery, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

STEPHEN J. WATTS.

The bill (H. R. 8670) granting an increase of pension to Stephen J. Watts, was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments in line 3, after the word "he" to insert "is;" in the same line, after the word "hereby" to strike out "is;" and in line 8, before the word "dollars," to strike out "fifty" and insert "thirty;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Stephen J. Watts, late of Company C, Sixth Regiment Kentucky Volunteer Cavalry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time, and passed.

SARAH SOMERVILLE LION.

The bill (H. R. 3252) granting an increase of pension to Sarah Somerville Lion was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Sarah Somerville Lion, widow of Thomas W. Lion, late major of Rockett Battalion, New York Volunteer Light Artillery, and to pay her a pension of \$25 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

SUSAN BUNTIN.

The bill (H. R. 4992) granting an increase of pension to Susan Buntin was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Susan Buntin, widow of John Buntin, late of Capt. William Bailey's company Virginia Volunteers, war of 1812, and to pay her a pension of \$20 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ZYLPHA J. KELLY.

The bill (H. R. 6151) granting a pension to Zylpha J. Kelly was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Zylpha J. Kelly, late a nurse in the Medical Department, United States Volunteers, and to pay her a pension of \$12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JONAH DUNCAN.

The bill (H. R. 9701) granting a pension to Jonah Duncan was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Jonah Duncan, late of Company D, First Regiment Tennessee Volunteer Mounted Infantry, and to pay him a pension of \$24 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JAMES H. EASTMAN.

The bill (H. R. 11010) granting an increase of pension to James H. Eastman was considered as in Committee of the Whole. It proposes to place on the pension roll the name of James H. Eastman, late of Company D, First Regiment New Hampshire Volunteer Cavalry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JONATHAN MEAD.

The bill (H. R. 10616) granting an increase of pension to Jonathan Mead was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Jonathan Mead, late of Company B, Sixteenth Regiment New Hampshire Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

DANIEL DAVIS.

The bill (H. R. 2392) granting a pension to Daniel Davis was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Daniel Davis, late of Company M, First Regiment New Hampshire Volunteer Heavy Artillery, and to pay him a pension of \$24 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ANDREW JACKSON.

The bill (H. R. 2398) granting a pension to Andrew Jackson was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Andrew Jackson, late of Company B, Third Regiment New Hampshire Volunteer Infantry, and to pay him a pension of \$24 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ISAAC B. HOYT.

The bill (H. R. 8689) granting an increase of pension to Isaac B. Hoyt was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Isaac B. Hoyt, late of Company F, Fifteenth Regiment New Hampshire Volunteer Infantry, and to pay him a pension of \$20 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

SARAH A. ROBINSON.

The bill (H. R. 10856) granting an increase of pension to Sarah A. Robinson was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Sarah A. Robinson, widow of John K. Robinson, late corporal in Kenley's battalion District of Columbia and Maryland Volunteers, Mexican war, and to pay her a pension of \$12 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

NATHANIEL TOWNSEND.

The bill (H. R. 5894) granting an increase of pension to Nathaniel Townsend was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Nathaniel Townsend, late of Company C, Twenty-second Regiment Iowa Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

LEVI S. PARROTT.

The bill (H. R. 7158) granting an increase of pension to Levi S. Parrott was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Levi S. Parrott, late of Company C, Twenty-ninth Regiment Maine Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

SARAH PARRISH.

The bill (H. R. 4650) granting a pension to Sarah Parrish was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Sarah Parrish, widow of Elza H. Parrish, late of Company K, Eightieth Regiment Ohio Volunteer Infantry, and to pay her a pension of \$12 per month, and \$2 per month additional on account of the minor child of said soldier, until such child shall have arrived at the age of 16 years.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ALBERT W. BRUSH.

The bill (H. R. 5444) granting an increase of pension to Albert W. Brush was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Albert W. Brush, late private in Company F, First Regiment Illinois Volunteers, war with Mexico, and to pay him a pension of \$20 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

D. CYRUS HOLDRIDGE.

The bill (H. R. 4879) granting an increase of pension to D. Cyrus Holdridge was considered as in Committee of the Whole. It proposes to place on the pension roll the name of D. Cyrus Holdridge, late captain of Company H, Twenty-third Regiment Wisconsin Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WESLEY C. SAWYER.

The bill (H. R. 7159) granting an increase of pension to Wesley C. Sawyer was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Wesley C. Sawyer, late captain Company H, Twenty-third Regiment Massachusetts Volunteer Infantry, and to pay him a pension of \$50 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

SARAH J. PEDDYCOART.

The bill (H. R. 8141) granting a pension to Sarah J. Peddycoart was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Sarah J. Peddycoart, widow of Levi Peddycoart, late of Company F, One hundred and thirteenth Regiment Illinois Volunteer Infantry, and to pay her a pension of \$12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MARIE L. APGAR.

The bill (H. R. 8254) granting an increase of pension to Marie L. Apgar was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Marie L. Apgar, widow of Stewart Apgar, late of Company B, First Regiment New Jersey Volunteer Cavalry, and to pay her a pension of \$12 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

IDA J. PEIXOTTO.

The bill (H. R. 10878) granting an increase of pension to Ida J. Peixotto was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Ida J. Peixotto, widow of Daniel L. M. Peixotto, late a captain in the Third United States Volunteer Infantry, and to pay her a pension of \$30 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN LONERGAN.

The bill (H. R. 1965) granting an increase of pension to John Lonergan was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John Lonergan, late captain Company A, Thirteenth Regiment Vermont Volunteer Infantry, and to pay him a pension of \$20 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

LUCIUS K. SMALLING.

The bill (H. R. 10815) granting a pension to Lucius K. Smalling was considered as in Committee of the Whole. It proposes to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Lucius K. Smalling, late of Company F, One hundred and twentieth Regiment New York Volunteer Infantry, and pay him a pension at the rate of \$12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN S. COGGESHALL.

The bill (H. R. 5120) granting an increase of pension to John S. Coggeshall was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John S. Coggeshall, late of Companies F and D, Fourth and Seventh Regiments Rhode Island Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WILBURN W. TESTERMAN.

The bill (H. R. 10742) granting a pension to Wilburn W. Testerman was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Wilburn W. Testerman, late of Company G, Fifteenth Regiment Missouri Volunteer Cavalry, and to pay him a pension of \$12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN W. HARTLEY.

The bill (H. R. 3767) granting an increase of pension to John W. Hartley was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John W. Hartley, late first lieutenant Company H, Fourteenth Regiment Illinois Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CYNTHA A. MIDDLETON.

The bill (H. R. 737) granting a pension to Cyntha A. Middleton was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Cyntha A. Middleton, widow of Samuel V. Middleton, late of Company F, Second Regiment Kentucky Volunteer Cavalry, and to pay her a pension of \$8 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

GEORGE FRIEND.

The bill (H. R. 10235) granting an increase of pension to George Friend was considered as in Committee of the Whole. It proposes to place on the pension roll the name of George Friend, late of Company K, Fifteenth Regiment Missouri Volunteer Cavalry, and to pay him a pension of \$20 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CORA VAN D. CHENOWETH.

Mr. GALLINGER. The senior Senator from Massachusetts [Mr. HOAR], who is absent from the city, was extremely desirous to have Senate bill 4587 passed. I ask that it be considered now.

There being no objection, the bill (S. 4587) granting an increase of pension to Cora Van D. Chenoweth was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Cora Van D. Chenoweth, widow of Bernard P. Chenoweth, late captain Company A, First Regiment Kansas Volunteer Infantry, and pay her a pension at the rate of \$10 per month in lieu of that she is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

WILLIAM WOLFE.

Mr. COCKRELL. I believe that closes the pension bills. I ask unanimous consent for the present consideration of the bill (H. R. 5755) for the relief of William Wolfe, favorably reported from the War Department and also from the Committee on Claims. The bill has already been read.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

Mr. COCKRELL. The bill has already been read. It need not be read again.

Mr. PLATT of Connecticut. What is the bill, Mr. President?

Mr. COCKRELL. Let it be read again.

The Secretary read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay William Wolfe, of Shelby County, Mo., out of any money in the Treasury not otherwise appropriated, the sum of \$8,000, being for the value of the schooner Anna Sophia, lost or destroyed while in the service of the Quartermaster's Department of the Army in the year 1865: Provided, That the said William Wolfe shall accept the amount in full and final settlement of his claim.

Mr. COCKRELL. The bill was referred in the last Congress in the omnibus bill to the Secretary of War to report upon it. He has reported upon it, disallowing about one-half of the amount, and simply allowing for the value of the vessel.

Mr. CHANDLER. Was it not a captured vessel?

Mr. COCKRELL. Oh, no.

Mr. CHANDLER. Was the man a loyal man?

Mr. COCKRELL. It was a vessel that was lost.

Mr. CHANDLER. Was the claimant a Union man?

Mr. COCKRELL. There was no question about that. It was simply a question of liability on the part of the Government for the loss of the vessel.

Mr. PLATT of Connecticut. Is there a report?

Mr. COCKRELL. There is a report in the case from the Secretary of War and also from the Committee on Claims.

Mr. PLATT of Connecticut. I should like to have the letter of the Secretary of War read from the report.

The PRESIDENT pro tempore. There is no report printed.

Mr. COCKRELL. There is a report in the House setting forth all the facts. The House report is with the bill.

Mr. PLATT of Connecticut. Just let the letter of the Secretary of War be read.

The PRESIDENT pro tempore. The letter of the Secretary of War will be read.

The Secretary read as follows:

WAR DEPARTMENT, Washington, January 2, 1900.

SIR: Referring to the act of Congress approved March 3, 1899 (30 Stats., 1213), directing the Secretary of War to cause to be investigated by the Quartermaster-General of the Army the circumstances, character, and extent of

the claim of William Wolfe, of Shelbina, Shelby County, Mo., for the loss of the schooner *Anna Sophia*, belonging to him, and for freight while on a voyage from New Orleans, La., to Indianola, Tex., and to report to Congress the facts and amount found to be due. I have the honor to transmit herewith the report of the Quartermaster-General, dated December 23, 1890, in the case, from which it will be seen that in the opinion of the Quartermaster-General, from the evidence filed, Mr. Wolfe has no legal claim against the Government for the value of his vessel or for freight on her cargo.

In view, however, of the testimony of the officer under whose orders the vessel was taken—given in 1877 and in 1883—the Quartermaster-General expresses the opinion that if Congress decides to grant relief upon the grounds of equity, the claimant is entitled to a fair remuneration for the value of the schooner; but he does not consider that the claimant is entitled to any allowance for freight on the cargo.

The appraised value of the schooner as fixed in the charter by the United States was \$8,000, which the Quartermaster-General believes is the maximum amount which should be allowed for her value, and in this the Department concurs.

The papers in the case, which were forwarded from the files of the House of Representatives, are returned herewith.

Very respectfully,

G. D. MEIKLEJOHN,
Acting Secretary of War.

THE SPEAKER OF THE HOUSE OF REPRESENTATIVES.

MR. PLATT of Connecticut. Now, will the Senator from Missouri explain briefly to the Senate why, when there is no legal claim, there are such equities that it ought to be paid?

MR. COCKRELL. Because there was at the time the officer seized it no authority for the seizure. As the Senator remembers all contracts for such a seizure must be made in writing and signed by the head of the department. That was down on the Texas coast and there was no time for a contract to be made and executed in writing. Consequently it was not binding upon the Government in a technical sense. This old man was there with his vessel and he lost all, and this is just about one-half of his claim. The Government chartered his vessel and it was done by the subordinate officer there, just as is done in hundreds of other cases.

MR. PLATT of Connecticut. Was it a seizure or a taking of the vessel by law?

MR. COCKRELL. The report says it was the charter of the vessel, but it was not done by the head of the department. They could not take time to wait and get an approval of the contract here in Washington.

MR. PLATT of Connecticut. Technically, the quartermaster had no legal power to charter the vessel, but there was an emergency and he took it?

MR. COCKRELL. And the vessel was lost.

MR. PLATT of Connecticut. He chartered it and the vessel was lost?

MR. COCKRELL. Yes.

MR. PLATT of Connecticut. I have no objection to the passage of the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

EXCLUSION FROM SUFFRAGE.

MR. CHANDLER. I ask unanimous consent for the consideration of Senate resolution 384.

THE PRESIDENT pro tempore. The resolution will be read for information.

The Secretary read the resolution reported by Mr. CHANDLER from the Committee on Privileges and Elections on the 1st instant, as follows:

Resolved, That the Committee on Privileges and Elections be instructed to inquire and report whether an enactment, by constitution or otherwise, by any State which confers the right to vote upon any of its citizens because of their descent from certain persons or classes of persons, and excludes other citizens because they are not descended from such persons or classes of persons, the persons so excluded having all other qualifications prescribed by law, is in violation of the Constitution of the United States and of the fundamental principle of our republican form of government; and also whether citizens so excluded can lawfully be reckoned in determining the number of Representatives from any State in the House of Representatives of the United States.

MR. PETTUS. Mr. President—

MR. BERRY. What is the proposition? What is it proposed to do with that resolution?

THE PRESIDENT pro tempore. To pass it.

MR. CHANDLER. It is reported from the Committee on Privileges and Elections, and I want to pass it.

MR. PETTUS. I object.

THE PRESIDENT pro tempore. Objection is made.

MR. CHANDLER. Who made the objection, Mr. President?

MR. BERRY. I object, and the Senator from Alabama has also objected.

THE PRESIDENT pro tempore. The resolution will go to the Calendar.

LAND ENTRIES IN OREGON.

MR. McBRIDE submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the Secretary of the Interior is hereby directed to ascertain what persons made entry of lands within the limits of any wagon-road or railroad land grant in the State of Oregon, who entered upon said lands under the public-land laws of the United States in good faith, believing such lands to be a part of the public domain, and the title to which lands was de-

termined by the courts to be vested in such wagon roads or railroad company as against the persons making the entries aforesaid, the date of such entry and the respective amounts paid to the United States and the date of such payments; also the names of persons who received certificates of entry or patents from the United States, and the date of such certificates or patents; also the sum or sums paid by the holders of such certificates or patents, their heirs or assigns, to purchase the paramount title as settled by the decisions of the courts, and also the value of such paramount title in cases where such purchase has not been made by any of the holders of such certificates or patents, and to ascertain such other facts as, in his judgment, are necessary to enable the United States to properly and equitably adjust the claims of persons who entered upon such lands, receiving from the proper officers written evidence of entry or settlement upon any of said lands, and the said Secretary shall make report thereon to the Congress at the next session.

DANIEL COONAN.

MR. LODGE. I ask unanimous consent for the present consideration of the bill (S. 3288) to correct the military record of Daniel J. Coonan.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Military Affairs with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of War be, and he is hereby, authorized and directed to amend the records of the Twenty-first and Thirty-sixth regiments of Massachusetts Infantry Volunteers so as to show Daniel Coonan enrolled and mustered into service as a private of the first-named regiment on the 18th day of February, 1864, and honorably discharged from the last-named regiment on the 1st day of February, 1865; and said Coonan shall hereafter be held and considered to have been in the military service of the United States as a private in said regiments from the 18th day of February, 1864, to the 1st day of February, 1865, and a certificate of honorable discharge shall be issued to him as of the last-named date.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill for the relief of Daniel Coonan."

JOHN C. SMITH.

MR. TURNER. I ask unanimous consent for the present consideration of the bill (H. R. 8765) for the relief of John C. Smith.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It directs the Secretary of the Interior to sell the following-described tract of land, to wit: Lots 10, 11, and 12, and the southwest quarter of the northeast quarter of section 26, all in township 8 north, of range 35 east, of the Willamette meridian, in the State of Washington, aggregating 135.95 acres, to John C. Smith for \$1.25 per acre.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

IMMIGRATION OFFICE IN NEW YORK CITY.

MR. ALLISON. Mr. President—

MR. PETTIGREW. I inquire if the morning business is closed, Mr. President?

THE PRESIDENT pro tempore. By unanimous consent, morning business was not opened this morning.

MR. PETTIGREW. I introduced a resolution yesterday, which I should like to call up. It went over under objection, and I think it is now properly before the Senate, is it not?

THE PRESIDENT pro tempore. What is the resolution?

MR. PETTIGREW. A resolution of inquiry addressed to the Secretary of the Treasury in regard to the Immigration Office in New York City. It was introduced last evening, and when I asked for its consideration objection was made.

THE PRESIDENT pro tempore. The resolution will be read.

The Secretary read the resolution yesterday submitted by Mr. PETTIGREW, as follows:

Resolved, That the Secretary of the Treasury be, and he is hereby, directed to send to the Senate all the evidence and reports in relation to an investigation of the Immigration Office in New York City by the Treasury Department.

THE PRESIDENT pro tempore. Is there objection to the present consideration of the resolution of the Senator from South Dakota?

MR. ALLISON. I object.

MR. PETTIGREW. Does not the resolution come up in order?

THE PRESIDENT pro tempore. Morning business has not opened. The Chair thinks the resolution would come up legitimately at the completion of the regular call for morning business. The first business to-day, after the reading of the Journal, was, by unanimous consent, the consideration of House pension bills.

MR. PETTIGREW. Then everything we are doing is by unanimous consent?

THE PRESIDENT pro tempore. Up to the present time; but if the Senator insists upon the regular order, the regular order is morning business.

MR. PETTIGREW. Then we would ultimately reach my resolution?

THE PRESIDENT pro tempore. Of course.

Mr. PETTIGREW. Would not a motion be in order to proceed now to the consideration of the resolution?

The PRESIDENT pro tempore. Yes; such a motion would be in order.

Mr. PETTIGREW. Then I make the motion to proceed to the consideration of the resolution which I have offered.

The PRESIDENT pro tempore. Is there objection to the present consideration of the resolution?

Mr. PLATT of Connecticut. I object.

Mr. PETTIGREW. Then a motion to proceed to the consideration of the resolution is in order.

Mr. CHANDLER. It seems to me that morning business ought to be called for, this being a regular session of the Senate to-day.

The PRESIDENT pro tempore. The regular order is demanded. The regular order is morning business. The presentation of petitions and memorials is in order.

Mr. PETTIGREW. Mr. President—

Mr. ALLISON. I move that the Senate take a recess for one hour.

Mr. FORAKER. Before that motion is put, I wish to say that I have been trying a long while to get the floor to ask for the consideration of a little bill to appropriate only \$150 for an Indian interpreter, who earned it nineteen years ago. The bill was read last night and objected to by the Senator from Mississippi [Mr. SULLIVAN], but that objection has been withdrawn. It will not take a minute to pass the bill.

Mr. PETTIGREW. I should like to ask the Senator from Iowa [Mr. ALLISON] if he rose for the purpose of calling up a bill?

The PRESIDENT pro tempore. The Senator from Iowa made a motion that the Senate take a recess.

Mr. ALLISON. Yes; I made a motion for a recess.

Mr. PETTIGREW. But when the Senator rose the first time was it to ask for the passage of a bill?

Mr. ALLISON. Not at all.

Mr. PETTIGREW. If the Senator rose for that purpose, I would withdraw my motion so as to allow the Senator to have his bill passed.

Mr. ALLISON. I rose only for the purpose of moving to take a recess.

Mr. PETTIGREW. Very well.

Mr. ALLISON. I move that the Senate take a recess for one hour.

Mr. FORAKER. I ask the Senator if he will withdraw the motion for a moment until the bill to which I have referred, which has already been read, may be considered?

Mr. PETTIGREW. I shall insist either upon a vote upon my resolution or else upon a vote on the motion submitted by the Senator from Iowa [Mr. ALLISON].

RECESS.

The PRESIDENT pro tempore (at 11 o'clock and 40 minutes a. m.). The question is on the motion of the Senator from Iowa that the Senate shall take a recess for one hour.

The motion was agreed to; and at the expiration of the recess (at 12 o'clock and 40 minutes p. m.) the Senate reassembled.

BILLS INTRODUCED.

Mr. BATE introduced a bill (S. 4061) to authorize the Kingston Bridge and Terminal Railway Company to construct a bridge across the Clinch River at Kingston, Tenn.; which was read twice by its title, and referred to the Committee on Commerce.

Mr. HAWLEY introduced a joint resolution (S. R. 134) relating to leaves of absence granted officers of the Army; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

CHARLES HURRLE.

Mr. FORAKER. I renew my request for unanimous consent for the consideration of the bill (S. 3063) for the relief of Charles Hurle, which was read in full last evening.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill named by the Senator from Ohio?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Military Affairs with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay Charles Hurle, late of Troop E, Sixth United States Cavalry, \$150 in full for all his services as post interpreter at Fort Apache, Ariz., from the date of his discharge until July 1, 1881.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

EXCLUSION FROM SUFFRAGE.

Mr. CHANDLER. Again I ask unanimous consent for the consideration of the resolution reported by me from the Commit-

tee on Privileges and Elections on the 1st instant, allowing an investigation to be made by the Committee on Privileges and Elections. I wish to say that it does not give any authority to send for persons and papers, but only instructs the committee to inquire into the general subject.

Mr. BERRY. I object, Mr. President.

Mr. CHANDLER. Does the Senator object to this limited investigation?

Mr. BERRY. I object to it passing at this time.

Mr. CHANDLER. I am surprised at the Senator.

Mr. BERRY. I am sorry the Senator is surprised.

NAVAL APPROPRIATION BILL.

Mr. HALE. I present a conference report on the naval appropriation bill.

The PRESIDENT pro tempore. The report will be read.

The Secretary read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate numbered 9, 50, 51, 52, and 53 to the bill (H. R. 10450) making appropriations for the naval service for the fiscal year ending June 30, 1901, and for other purposes, having met, after full and free conference have been unable to agree.

EUGENE HALE,
GEORGE C. PERKINS,
MARION BUTLER,
Managers on the part of the Senate.
J. G. CANNON,
W. H. MOODY,
JOHN F. SHAFTROTH,
Managers on the part of the House.

The PRESIDENT pro tempore. Will the Senate agree to the report?

The report was agreed to.

Mr. HALE. I move that the Senate further insist on its amendments disagreed to by the House of Representatives and ask for a further conference with the House, the conferees to be appointed by the Chair.

Mr. CHANDLER. Mr. President, I wish to say a word. Why does the Senator from Maine ask for a further conference if the committee have determined not to agree upon any compromise measure? Why should we not simply have a disagreement reported and await the action of the House of Representatives?

Mr. HALE. Because, like most matters in human life, there is a chance that on the next conference an agreement will be reached, and I may say that I believe an agreement will be reached on the next conference. There is an opportunity given by this course for the House to express itself again, if it so chooses, upon the Senate amendments. If the House insists upon its disagreement, the subject will be brought before the House, and then it will remain for the conferees at another meeting to see if some result can not be agreed upon. I make the motion now for a new conference in order to expedite a settlement of the matter. There is nothing pending between the conferees now but the cadet amendment and the provision regarding surveys. The armor-plate controversy has been closed, because the House has agreed to the Senate amendment, and that subject has passed from conference.

Mr. BACON. The Senator means the House has accepted the Senate's surrender.

Mr. HALE. I do not think it accepted it in that form, but it agreed to the amendment of the Senate, so that that has passed from conference.

Mr. CHANDLER. It does not seem to me that the Senator's proposition tends to settle the controversy so much as would be the case if we simply have a disagreement reported and await the action of the House. Would not the House be more likely to accept the Senate amendment if we do not ask for a further conference? I want to call attention of the Senator to the language of the amendment. The appropriation is exactly like that of last year:

Ocean and lake surveys: For hydrographic surveys, and for the purchase of nautical books, charts, and sailing directions, and freight and express charges on the same, \$100,000.

That was the appropriation last year. It is cut down to \$50,000 this year. Why should not the controversy be ended by the House accepting that amendment if the Senate conferees declined to modify it? Why do we want a new conference? The Senator has not yet made plain why we are any more likely to get a settlement if we ask for another conference. The very fact that we ask for a conference may have an effect in preventing the House from accepting what we believe they should accept.

Mr. HALE. It is not a very material matter; and I do not think it will influence the result in the House in the least whether we ask or do not ask for a conference. It only expedites it to the extent of preventing the procession of the papers back and forth from the House twice, which, in the course of business, always takes about from half to three-quarters of an hour.

Mr. BACON. I should like to ask the Senator if, under the parliamentary practice, it is not competent for the Senate to await such a request from the House rather than to make it itself?

Mr. HALE. No; the ordinary way is where the report is first made to the body which insists upon its amendments they non-concur in the amendments of the other body and ask for a further conference. It is not by any means imperative if the Senate prefer not to ask for a conference, but it will make a difference in time, provided an agreement is reached, of probably half an hour.

Mr. BACON. The point I want to make to the Senator is this: Would it not hold out a greater promise of an economy of time if, by the fact that we do not ask for a conference, the House were given to understand that while the Senate has surrendered the most important matter it expects the House to surrender this? Whereas, if we now ask for a conference, it is an invitation to the House to persist in their disagreement and require a second absolute, unconditional, and unqualified surrender on the part of the Senate to the demands of the House.

Mr. HALE. I see the force of what the Senator says. If the matter were close in the House, that course might be well; and quite likely the fact that the Senate did not ask for a further conference might rather be an additional argument to put in the months of that portion of the House who agree with the Senate to accede to the Senate proposition. There is something in that. I do not think it is very practicable. I do not think that influence weighs much; and yet, if there is anything in it, I am entirely willing to let the matter go without asking for another conference.

Mr. ALLISON. May I make a suggestion?

Mr. HALE. Certainly.

Mr. ALLISON. When this report goes back to the House, will not those who favor the provision in the bill have an opportunity of proceeding to settle that matter by another vote, even though the Senate ask for a conference?

Mr. CHANDLER. But it is an invitation to the House to insist on their disagreement if we ask for a conference.

Mr. HALE. It does not cut them off. They will have the same opportunity, and it may be that they would have a little stronger ground if we do not ask for a conference. There is something in the suggestion, and I will not ask for a conference.

Mr. PETTUS. Will the Senator from Maine allow me to introduce a joint resolution and have it referred?

Mr. HALE. We shall have this matter through in a half minute.

Mr. PETTUS. I want to offer it before this matter is concluded.

Mr. HALE. I yield to the Senator.

EXTENSION OF NAVAL APPROPRIATIONS.

Mr. PETTUS. I introduce a joint resolution, which I ask to have referred to the Committee on Appropriations.

The PRESIDENT pro tempore. The joint resolution will be read.

The joint resolution (S. R. 133) extending the appropriations made in the naval appropriation act for the fiscal year ending June 30, 1900, was read the first time by its title and the second time at length, as follows:

Resolved by the Senate and House of Representatives, That the appropriations made in the naval appropriation act for the fiscal year ending June 30, 1900, so far as applicable, are hereby extended to and appropriated for the next fiscal year.

Mr. HALE. I think the Senator from Alabama, instead of having that joint resolution referred to the Committee on Appropriations, should let it lie upon the table, because if we act upon it, it must be without any reference.

Mr. PETTUS. Very well, sir.

The PRESIDENT pro tempore. The joint resolution will lie upon the table.

NAVAL APPROPRIATION BILL.

The Senate resumed the consideration of the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate numbered 9, 50, 51, 52, and 53 to the bill (H. R. 10450) making appropriations for the naval service for the fiscal year ending June 30, 1901, and for other purposes.

Mr. HALE. Has the conference report been adopted, Mr. President?

The PRESIDENT pro tempore. The report has been adopted.

Mr. HALE. I now move that the Senate further insist on its amendments disagreed to by the House of Representatives; and I ask that the clerks see that the papers go to the House as soon as possible.

The PRESIDENT pro tempore. Does the Senator renew the motion which he heretofore made?

Mr. HALE. My motion is that the Senate further insist on its amendments and not ask for a further conference.

The PRESIDENT pro tempore. The question is on the motion of the Senator from Maine that the Senate further insist on its amendments which have been disagreed to by the House of Representatives.

The motion was agreed to.

RECESS.

Mr. SULLIVAN. I ask unanimous consent for the consideration of the bill (H. R. 3799) for the relief of Stanley Snodgrass, of Jefferson County, Miss. It is a very short bill and will not take two minutes. It was under consideration yesterday, but was cut off by a motion to take a recess.

The PRESIDENT pro tempore. The bill will be reported to the Senate for its information.

The Secretary read the bill.

Mr. ALLISON (at 12 o'clock and 55 minutes p. m.). Pending the request for the consideration of that bill, I move that the Senate take a recess until 3 o'clock.

The PRESIDENT pro tempore. The question is on the motion of the Senator from Iowa that the Senate take a recess until 2 o'clock.

The motion was agreed to; and at the expiration of the recess (at 2 o'clock p. m.) the Senate reassembled.

PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. O. L. PRUDEN, one of his secretaries, announced that the President had on the 6th instant approved and signed the following acts and joint resolutions:

An act (S. 3419) making further provision for a civil government for Alaska, and for other purposes;

An act (S. 2111) granting a pension to Ira Doane;

An act (S. 2497) granting an increase of pension to Sarah W. Rowell;

An act (S. 1489) granting an increase of pension to Robert C. Rogers;

An act (S. 41) to authorize the President to place Andrew Geddes on the retired list with the rank of captain;

An act (S. 255) to ratify an agreement with the Indians of the Fort Hall Indian Reservation in Idaho, and making appropriations to carry the same into effect;

An act (S. 4532) for reestablishing the range lights on the Delaware River known as Finns Point range, Reedy Island range, and Fort Penn range;

An act (S. 3296) to provide for the establishment of a port of delivery at Worcester, Mass.;

An act (S. 4448) to provide an American register for the ships *Star of Italy* and *Star of Bengal*;

An act (S. 4658) relating to the anchorage of vessels in the Kennebec River at or near Bath, Me.;

An act (S. 4075) to amend an act to prohibit the passage of special or local laws in the Territories, to limit the Territorial indebtedness, etc.;

An act (S. 4020) to amend the act of Congress approved May 14, 1880, entitled "An act for the relief of settlers on the public lands;"

An act (S. 1746) to provide for the inspection of the boilers of the *Alvina* and *Ailsa*;

An act (S. 2438) to establish a fish hatchery and fish station in the State of West Virginia;

An act (S. 1794) for the relief of Fred Weddle;

An act (S. 3301) to provide an American register for the barge *Davidson*;

A joint resolution (S. R. 131) authorizing foreign exhibitors at the Ohio Centennial and Northwest Territory Exposition, to be held in Toledo, Ohio, in 1901, to bring to this country foreign laborers from their respective countries for the purpose of preparing for and making their exhibits, under regulations prescribed by the Secretary of the Treasury;

A joint resolution (S. R. 132) authorizing foreign exhibitors at the Pan-American Exposition, to be held in Buffalo, N. Y., 1901, to bring to this country foreign laborers from their respective countries for the purpose of preparing for and making their exhibits, under regulations prescribed by the Secretary of the Treasury;

A joint resolution (S. R. 28) relating to the use of the rooms lately occupied by the Congressional Library in the Capitol;

A joint resolution (S. R. 72) authorizing the President of the United States to appoint David Bagley as an additional cadet at the Naval Academy, Annapolis, Md.;

A joint resolution (S. R. 122) respecting the unveiling of the statue of Lafayette at Paris, France, July 4, 1900; and

A joint resolution (S. R. 129) authorizing the President to appoint George W. Kirkman to be captain of infantry, United States Army.

COURT OFFICERS IN UTAH.

Mr. SHOUP submitted the following concurrent resolution; which was considered by unanimous consent, and agreed to:

Resolved by the Senate (the House of Representatives concurring), That the President be requested to return to the Senate the bill of the Senate (S. 3106) relating to accounts of United States marshals and the clerks of the district courts for the Territory of Utah.

SUPREME LODGE, KNIGHTS OF PYTHIAS.

Mr. GALLINGER. I am directed by the Committee on the District of Columbia, to whom was referred the bill (H. R. 11599) to amend an act to incorporate the Supreme Lodge of the Knights of Pythias, to report it without amendment, and I ask unanimous consent for its present consideration.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The PRESIDENT pro tempore. The Chair calls the attention of the Senator from New Hampshire to line 9.

Mr. GALLINGER. That is a misprint. I do not want to have the bill amended, feeling sure it will be printed correctly next time. It is the fault of the printer.

The PRESIDENT pro tempore. The Senator does not want to move any amendment?

Mr. GALLINGER. No; I will take the risk of having it printed correctly next time.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MARGARET M. BADGER.

Mr. GALLINGER submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 4564) granting an increase of pension to Margaret M. Badger, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, and 3, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 4, and agree to an amendment as follows: In lieu of the sum proposed by the Senate insert "forty;" and the Senate agree to the same.

J. H. GALLINGER,
GEORGE L. SHOUP,
Managers on the part of the Senate.
H. C. LOUDENSLAGER,
J. H. BROMWELL,
S. W. DAVENPORT,
Managers on the part of the House.

The report was agreed to.

EXECUTIVE SESSION.

Mr. ALLISON. I move that the Senate take a recess.

Mr. MCCOMAS. I should like to have an executive session for moment before we take a recess.

Mr. ALLISON. To act upon a nomination?

Mr. MCCOMAS. Yes.

Mr. ALLISON. Very well.

Mr. MCCOMAS. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After three minutes spent in executive session the doors were reopened.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had passed the bill (S. 3616) to authorize the payment of traveling allowances to enlisted men of the regular and volunteer forces when discharged by order of the Secretary of War and stated by him as entitled to travel pay.

The message also announced that the House had agreed to the amendments of the Senate to the following bills:

A bill (H. R. 156) granting a pension to Lena E. Patterson;
A bill (H. R. 2694) granting a pension to Maggie D. Chapman;
A bill (H. R. 5678) granting an increase of pension to Ellen A. Spalding;

A bill (H. R. 8670) granting an increase of pension to Stephen J. Watts;

A bill (H. R. 9093) granting an increase of pension to Joseph L. Thomas;

A bill (H. R. 9481) granting an increase of pension to James Anderson; and

A bill (H. R. 9749) granting a pension to Melissa A. Trulock.

ENROLLED BILLS SIGNED.

The message further announced that the Speaker of the House had signed the following enrolled bills; and they were therupon signed by the President pro tempore:

A bill (H. R. 2694) granting a pension to Maggie D. Chapman;

A bill (H. R. 3755) for the relief of William Wolfe;

A bill (H. R. 10856) granting an increase of pension to Sarah A. Robinson; and

A bill (S. 4756) directing the issue of a duplicate of lost check drawn by James B. Quinn, major, Corps of Engineers, United States Army, in favor of Henry L. Breneman.

STANLEY SNODGRASS.

Mr. ALLISON obtained the floor.

Mr. SULLIVAN. I ask unanimous consent that the Senate may finish the consideration of the bill (H. R. 8799) for the relief of Stanley Snodgrass, of Jefferson County, Miss.

The PRESIDENT pro tempore. Does the Senator from Iowa yield for that purpose?

Mr. ALLISON. Yes; and then I will insist upon a motion for a recess.

The PRESIDENT pro tempore. The bill has been read.

Mr. WOLCOTT. Is consideration asked for a bill?

The PRESIDENT pro tempore. Yes. The bill will be reported.

Mr. WOLCOTT. For information?

The PRESIDENT pro tempore. It was taken up before the recess and was interrupted by a motion.

Mr. WOLCOTT. I desire to ask the Senator from Mississippi if this is the bill for the payment of a hundred bushels of corn which was taken by the naval brigade in Mississippi?

Mr. SULLIVAN. Something of that sort.

Mr. WOLCOTT. I object. It was in 1862, was it not?

Mr. SULLIVAN. I do not remember the date.

Mr. WOLCOTT. I object.

Mr. SULLIVAN. Mr. President, I now move that no business be entertained during the present session except conference reports.

Mr. ALLISON. I will say to the Senator from Mississippi that that is not necessary. Either he or I will object to everything of that sort.

Mr. SULLIVAN. If the Senator from Iowa does not, I shall.

RECESS.

Mr. ALLISON. I move that the Senate take a recess until quarter of 3 o'clock.

Mr. CULLOM. Will the Senator from Iowa withhold that motion for a moment? I wish to report a bill.

Mr. ALLISON. I refer the Senator from Illinois to the Senator from Mississippi.

Mr. SULLIVAN. I object.

Mr. CULLOM. I appeal to the Senator from Mississippi. I desire to report a bill.

Mr. SULLIVAN. I object.

Mr. CULLOM. Before the Senator objects, I should like to read the title of the bill. It is the bill (H. R. 10302) to amend an act to promote the safety of employees, etc., by requiring common carriers engaged in interstate commerce to equip their cars with automatic couplers and continuous brakes, etc., approved March 2, 1893. It is an amendment to the law to make better reports of injuries.

Mr. SULLIVAN. I object.

The PRESIDENT pro tempore. The Senator from Iowa moves that the Senate take a recess until quarter of 3 o'clock.

Mr. ALLISON. I modify that, and move that we take a recess until 3 o'clock.

The motion was agreed to; and (at 2 o'clock and 10 minutes p. m.) the Senate took a recess until 3 o'clock p. m.

At the expiration of the recess the Senate reassembled.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had passed the joint resolution (S. R. 130) making an emergency appropriation for the repair of certain roads and bridges in the District of Columbia.

The message also announced that the House had passed a joint resolution (H. J. Res. 201) donating a condemned cannon to the Commandery in Chief of the Sons of Veterans, United States of America; in which it requested the concurrence of the Senate.

ENROLLED BILLS SIGNED.

The message further announced that the Speaker of the House had signed the following enrolled bills; and they were therupon signed by the President pro tempore:

A bill (S. 3616) to authorize the payment of traveling allowance to enlisted men of the regular and volunteer forces when discharged by order of the Secretary of War and stated by him as entitled to travel pay;

A bill (H. R. 156) granting a pension to Lena E. Patterson;
A bill (H. R. 737) granting a pension to Cynthia A. Middleton;
A bill (H. R. 1230) granting a pension to Hannah Kennedy;
A bill (H. R. 3068) granting an increase of pension to Evan M. Woodward;

A bill (H. R. 8252) granting an increase of pension to Sarah Somerville Lion;

A bill (H. R. 4455) granting a pension to Louise Weidmer;
A bill (H. R. 4456) granting a pension to Alice A. Hartz;
A bill (H. R. 4571) granting an increase of pension to Helen Mauck;

A bill (H. R. 4577) granting an increase of pension to John D. Craig;

A bill (H. R. 4627) granting a pension to Rachel M. Harvey;
A bill (H. R. 4650) granting a pension to Sarah Parrish;
A bill (H. R. 4898) granting a pension to Frank A. W. Shaw;
A bill (H. R. 4991) granting a pension to Maria V. Sperry;

A bill (H. R. 4942) granting a pension to Lidia A. Stockwell;
 A bill (H. R. 4992) granting an increase of pension to Susan Buntin;
 A bill (H. R. 5330) granting an increase of pension to Uri S. Keith;
 A bill (H. R. 5430) granting an increase of pension to Thomas B. Holland;
 A bill (H. R. 5555) granting a pension to Virginia Hull;
 A bill (H. R. 5894) granting an increase of pension to Nathaniel Townsend;
 A bill (H. R. 6151) granting a pension to Zylpha J. Kelly;
 A bill (H. R. 6829) granting an increase of pension to John H. K. Crosby;
 A bill (H. R. 7158) granting an increase of pension to Levi S. Parrot;
 A bill (H. R. 7159) granting an increase of pension to Wesley C. Sawyer;
 A bill (H. R. 8114) granting a pension to Annie E. Bell;
 A bill (H. R. 8157) granting an increase of pension to Thomas C. Mills;
 A bill (H. R. 8217) granting a pension to Josephine B. Wood;
 A bill (H. R. 8670) granting an increase of pension to Stephen J. Watts;
 A bill (H. R. 8765) for the relief of John C. Smith;
 A bill (H. R. 8829) granting an increase of pension to John P. Pepper;
 A bill (H. R. 9898) granting an increase of pension to Edward J. Trussler;
 A bill (H. R. 10071) granting an increase of pension to Mary W. Clark;
 A bill (H. R. 10082) granting an increase of pension to Lewis Oliver;
 A bill (H. R. 10235) granting an increase of pension to George Friend;
 A bill (H. R. 10742) granting a pension to Wilburn W. Testerman; and
 A bill (H. R. 10815) granting an increase of pension to Lucius K. Smalling.

DONATION OF A CONDEMNED CANNON.

Mr. BEVERIDGE. I ask unanimous consent for the present consideration of the joint resolution which has just been received from the House of Representatives.

The PRESIDENT pro tempore. The Chair lays before the Senate the joint resolution.

The joint resolution (H. J. Res. 201) donating a condemned cannon to the Commandery in Chief of the Sons of Veterans, United States of America, was read the first time by its title.

The PRESIDENT pro tempore. The Senator from Indiana asks for the present consideration of the joint resolution.

Mr. SULLIVAN. I object.

Mr. PETTIGREW. Mr. President, I should like to know if that has any reference to the chairman of the Committee on Appropriations in the other House? [Laughter.]

Mr. LINDSAY. I hope that the Senator from Mississippi will withdraw his objection.

The PRESIDENT pro tempore. The joint resolution will be read at length.

The joint resolution was read the second time at length, as follows:

Resolved, etc. That the Secretary of the Navy, in his discretion, is hereby authorized to deliver to the order of Fred E. Boott, quartermaster-general of the Sons of Veterans, United States of America, one dismounted condemned cannon captured from or surrendered by Spain during the Spanish-American war: *Provided*, That the Government shall be at no expense in connection with the delivering of said cannon.

The PRESIDENT pro tempore. Is there objection to the present consideration of the joint resolution?

Mr. SULLIVAN. I object, Mr. President.

Mr. BEVERIDGE. I hope the Senator from Mississippi will not object. I make a personal appeal to him on account of the personal amenities and relations between us to let it go through.

Mr. SULLIVAN. A very small bill that I had here has been two or three times brought up for consideration and without reason I was cut off. I do not believe in the expiring hours of the Senate measures should be considered in this way, and therefore I suggested that a resolution be passed that nothing else but conference reports shall be considered. I think that is a proper thing to do. For that reason I adhere to my objection.

Mr. BEVERIDGE. I did not object to the Senator's bill.

Mr. WOLCOTT. Mr. President, without fully recognizing the great merits of the claim of the Senator from Mississippi as presented in his small bill for the payment of 100 bushels of corn which were seized by the naval brigade in Mississippi in 1862, I objected to its consideration. Upon further reflection and information and also upon a knowledge of the importance of this condemned cannon being delivered to the State of Indiana, I appreciate the fact that I should not have objected. If it will facilitate the passage of the joint resolution which the Senator from

Indiana desires to have considered, I desire now in a public way to withdraw my objection to the bill which the Senator from Mississippi requested be put upon its passage for the payment to some of the citizens of Mississippi for 100 bushels of corn which, I think, in 1862 were seized by the naval brigade in Mississippi, and for which payment has never been rendered.

Mr. SULLIVAN. Mr. President, so far as that is concerned, I really do not know just what the basis of that claim was. It might have been a hundred bushels of corn, it might have been more. I do not care anything about that. It is a bill that has been frequently reported favorably, and it has passed the House, and was unanimously reported here.

Mr. CHANDLER. We will pass it.

Mr. SULLIVAN. I thought when I tried three or four times to get that bill passed and was cut off by motions to take a recess and by motions to adjourn, that the time had come when members were moving in this way, not for the purpose of facilitating the public business, but merely to get rid of any business and to bring about an adjournment early, that I would thenceforth object to any further business.

Mr. BEVERIDGE. I hope the Senator will allow the joint resolution to be passed.

Mr. SULLIVAN. I withdraw my objection to its consideration. The PRESIDENT pro tempore. Does the Senator from Mississippi ask for the consideration of the bill to which he referred?

Mr. SULLIVAN. I shall ask for its consideration after the joint resolution has been passed.

Mr. BEVERIDGE. The Senator from Mississippi has withdrawn his objection to the joint resolution?

Mr. SULLIVAN. I have done so.

Mr. BEVERIDGE. I ask unanimous consent for its present consideration.

There being no objection, the joint resolution was considered as in Committee of the Whole.

The joint resolution was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

STANLEY SNODGRASS.

The PRESIDENT pro tempore. The Senator from Mississippi asks unanimous consent for the present consideration of the bill (H. R. 3799) for the relief of Stanley Snodgrass, of Jefferson County, Miss.

There being no objection, the bill was considered as in Committee of the Whole. It proposes to pay Stanley Snodgrass, heir and distributee of Mrs. M. S. Snodgrass, late of Jefferson County, Miss., \$100 for corn taken from her for the use of the Federal forces at Brunsburg, Jefferson County, Miss., on the 27th of February, 1864.

The PRESIDENT pro tempore. The bill has been read.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

FINAL ADJOURNMENT.

Mr. ALLISON. I ask leave to call up from the table the concurrent resolution of the House of Representatives relating to final adjournment.

The Senate, by unanimous consent, proceeded to consider the concurrent resolution, as follows:

Resolved by the House of Representatives (the Senate concurring). That the President of the Senate and the Speaker of the House of Representatives be authorized to close the present session by adjourning their respective Houses on Wednesday, the 6th day of June, at 3 o'clock p. m.

Mr. ALLISON. I move to amend the resolution by striking out "Wednesday" and inserting "Thursday," by striking out "6th" and inserting "7th," and by striking out "3 o'clock" and inserting "4.30 o'clock;" so as to read:

Thursday, the 7th day of June, at 4.30 o'clock p. m.

The amendment was agreed to.

The PRESIDENT pro tempore. The question is on agreeing to the resolution as amended.

Mr. LINDSAY. Before the resolution is put upon its passage, I desire to submit a few remarks to the Senate.

Mr. HAWLEY. Let us pass the resolution first.

Mr. LINDSAY. Very well; I will let the resolution be passed and take the floor afterwards.

The concurrent resolution as amended was agreed to.

Mr. ALLISON subsequently said: I ask unanimous consent to reconsider the vote by which we agreed to adjourn at half past 4 and to substitute 5 o'clock.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Iowa for a reconsideration of the vote by which the concurrent resolution was passed? The Chair bears none, and the concurrent resolution is before the Senate.

Mr. ALLISON. I move to insert "5 o'clock" instead of half past 4 o'clock.

The amendment was agreed to.

The concurrent resolution as amended was agreed to.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had passed a bill (H. R. 10302) to amend an act to promote the safety of employees, etc., by requiring common carriers engaged in interstate commerce to equip their cars with automatic couplers and continuous brakes, etc., approved March 2, 1893.

The message also announced that the House recedes from its disagreement to amendment numbered 9, and agrees to the same, to the bill (H. R. 10450) making appropriations for the naval service for the fiscal year ending June 30, 1901, and for other purposes; recedes from its disagreement to amendments numbered 50, 51, 52, and 53, and agrees to the same.

ENROLLED BILLS SIGNED.

The message further announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by the President pro tempore:

A bill (H. R. 1965) granting an increase of pension to John Lonergan;

A bill (H. R. 2392) granting a pension to Daniel Davis;

A bill (H. R. 2398) granting a pension to Andrew Jackson;

A bill (H. R. 3526) granting a pension to James M. Elliott;

A bill (H. R. 3767) granting an increase of pension to John W. Hartley;

A bill (H. R. 4241) granting an increase of pension to Melissa Bush;

A bill (H. R. 4879) granting an increase of pension to D. Cyrus Holdridge;

A bill (H. R. 5120) granting an increase of pension to John S. Coggeshall;

A bill (H. R. 5444) granting an increase of pension to Albert W. Brush;

A bill (H. R. 5647) granting a pension to Amanda Hurd;

A bill (H. R. 5678) granting an increase of pension to Ellen A. Spalding;

A bill (H. R. 8141) granting a pension to Sarah J. Pddycoart;

A bill (H. R. 8234) granting an increase of pension to Marie L. Apgar;

A bill (H. R. 8699) granting an increase of pension to Isaac B. Hoyt;

A bill (H. R. 9093) granting an increase of pension to Joseph L. Thomas;

A bill (H. R. 9207) granting a pension to John F. Kelly;

A bill (H. R. 9481) granting an increase of pension to James Anderson;

A bill (H. R. 9701) granting a pension to Jonah Duncan;

A bill (H. R. 9749) granting a pension to Melissa A. Trulock;

A bill (H. R. 10616) granting an increase of pension to Jonathan Meade;

A bill (H. R. 10873) granting an increase of pension to Ida J. Peixotto;

A bill (H. R. 11010) granting an increase of pension to James H. Eastman; and

A bill (H. R. 11599) to amend an act to incorporate the Supreme Lodge of the Knights of Pythias.

HOUSE BILL REFERRED.

The bill (H. R. 10902) to amend an act to promote the safety of employees, etc., by requiring common carriers engaged in interstate commerce to equip their cars with automatic couplers and continuous brakes, etc., approved March 2, 1893, was read twice by its title, and referred to the Committee on Interstate Commerce.

NAVAL APPROPRIATION BILL.

Mr. LINDSAY. Mr. President, I was gratified to learn that the House of Representatives has become convinced that the provision made by the Senate for the continuance of the hydrographic work in charge of the Navy Department will not involve necessarily or naturally the exploration of Vermilion River, Illinois, by the battle ship *Oregon* or by any other of our great naval war engines, and has at last reached the conclusion that the Senate provision may be adopted without serious detriment to the work of the Coast and Geodetic Survey.

Mr. President, treating this matter from a serious standpoint, I regret to say that I find printed in the RECORD this morning certain correspondence between the Navy Department and others who are not members of the Navy Department, and certain exhibits furnished by the Navy Department, and certain deductions founded on that correspondence, the tendency and purpose of which was to reflect on the character of a naval officer who stands the equal of any officer of his rank in the American Navy or in any navy, whose character for all that makes up the gentleman, for all that makes up the man who has a sensitive regard for truth, has been ruthlessly assailed, and the assault sent out this morning to the country through the RECORD of the Congress of

the United States. On this correspondence, as the basis therefor, this statement was made:

The answer came:
There is nothing! nothing! nothing! I knew that was a falsehood, in substance, if not in letter.

This statement, read in connection with this correspondence, shows that the charge of falsehood was intended to be fixed on Commander C. C. Todd, of the Navy, an officer who served in the Spanish war with distinction, who has never proved unequal to any duty imposed on him by his position in the Navy, a man who since the Spanish war was sent to explore the Amazon, and who has received thanks and commendation for the magnificent work he did.

Now, let us see on what this charge of falsehood rests.

The letter relating to the reduction by the House of Representatives of the amount appropriated by the Senate seems for hydrographic purposes to have been sent out to other subordinates in the Navy connected with the Bureau of Equipment. Their attention was called to the facts, first, that the appropriation made by the Senate of \$100,000 had been reduced to \$10,000. And, again, that—

5 While the Appropriations Committee seem to be taking the ground that economy in this is needed, it will appear later in the session that, whereas \$90,000 has been knocked off this appropriation for surveying, \$400,000 is added to that of the Coast Survey for the coming year; so that economy surely can not enter into the question.

6 But the main point is that the safety of the fleet, the safety of the merchant marine, which is now growing so rapidly, calls for that branch of the Government to do this surveying work which can do it best and quickest (and that is the Navy, without question) in the new possessions, leaving alone the Coast Survey to do the work which it was intended it should do originally—that is, our own coasts, which they have not finished and do not intend to do.

Possibly the circulation of this letter was a breach of one of the regulations of the Navy Department, but it was not a contempt of the Congress of the United States. It was intended to influence legislation, but we know that there is not a department of government that does not seek to influence the legislation relating to that department.

The real objection to this letter was that it stated truths which, presented to the country, could not but provoke public condemnation of the reduction of the appropriation. We had found a hidden reef in Asiatic seas which the charts did not locate. We found it with the cruiser *Charleston*. That cost three or four million dollars, and having made the discovery of the reef we lost the ship and armament, and were lucky in not losing the crew.

The Navy Department thought it good policy to revise the Spanish charts, and to correctly locate these hidden reefs and to search for them in a legitimate way, instead of discovering their location through the loss of a battle ship or an armed cruiser.

The correspondence being called for, the Secretary wrote to the Bureau of Equipment, and Captain Todd responded, not to the Secretary of the Navy, but to the Chief of the Bureau of Equipment, with this letter:

HYDROGRAPHIC OFFICE, Washington, D. C., April 25, 1900.

SIR: Referring to the letter to the Secretary of the Navy from the Hon. J. G. CANNON, chairman of the Appropriations Committee, House of Representatives, dated April 21, 1900, as to letters, telegrams, etc., to chambers of commerce, boards of trade, corporations, and individuals outside of Washington, etc., a careful examination of the files of this office shows that no letters or telegrams have been sent from this office to chambers of commerce, boards of trade, corporations, and individuals outside of Washington concerning appropriations for and legislation relating to the Hydrographic Office or the work of ocean and lake surveys since February 2, 1900.

Respectfully,

C. C. TODD,

Commander, United States Navy, Hydrographer.

The CHIEF OF THE BUREAU OF EQUIPMENT,

Navy Department.

This response is taken hold of and charged to be false, because in the office in charge of Todd the fact was known that the circular had been sent out, not to boards of trade, not to chambers of commerce, not to corporations, not to private individuals, but to officers of the Navy and employees of the Hydrographic Bureau. The latter was literally true.

When Captain Todd sent this letter to his superior he sent with it this written statement.

This statement, to all intents and purposes, was as much a part of the letter as if it had been incorporated in the body thereof. It reads thus:

[Memorandum.]

HYDROGRAPHIC OFFICE, April 25, 1900.

The Chief of the Bureau of Equipment:

In connection with the letter this day addressed to you concerning letters, telegrams, etc., to corporations, individuals, etc., as to pending legislation relating to the Hydrographic Office, I would state that this office has kept the branches thereof informed as to the progress and the results of legislation relating to appropriations for this office and of ocean and lake surveys in order that organized bodies having an interest in hydrographic matters might be posted as to the progress of the legislation relating thereto and in order that such action as they might deem proper might be taken to further their interests. This has been done in the interests of this office, in the interests of the Department, and of the country.

C. C. TODD,

Commander, United States Navy, Hydrographer.

The letter, with the memorandum that accompanied it, which

was addressed to the identical officer to whom the letter was addressed, told the whole story just as the facts existed; and instead of there being ground on which to draw the deduction that Todd was guilty of falsehood or concealment or prevarication or a want of candor, the two papers when read together show that he made the statements that any other upright and truthful gentleman would have made under the circumstances; yet it goes out, in an official publication made by the Congress of the United States, that Captain Todd has been branded with the charge of falsehood—not mere want of candor, but unqualified falsehood. The language which imputes falsehood to this gallant officer is:

There is nothing! nothing! nothing! I knew that was a falsehood, in substance if not in letter.

I submit to any upright, honorable gentleman whether, when this memorandum and that letter are read together, Todd concealed anything, whether he stated anything that was false, whether he prevaricated, or whether he was guilty of want of candor.

I know nothing about what happened after this letter and memorandum left the hands of Todd; but I do know this, that if anybody is guilty of falsehood, which I deny; if anybody is guilty of prevarication; if anybody can be charged with a want of candor, it is not Commander Chapman C. Todd, who told the whole story just as an honest and upright man would have told it.

Senators can not appreciate the attitude of a gallant gentleman and sensitive officer when met with an official publication by the Congress of the United States imputing against him the charge of being unworthy of credit. He has no relief, no remedy; he can be held to answer everywhere for what he may say, either in speech or in writing; but if he attempts to resent charges like these made on the floor of either House of Congress, he is amenable to trial by a court-martial for breach of naval discipline.

The offense of Commander Todd is that in the circular letter he stated the whole truth. The crime he committed was in telling the truth and holding up those who were obstructing the legislation provided for by the Senate; with either carrying out obligations to another branch of the Government service or else of advocating legislation so preposterous on its face as to excite the condemnation and derision of every man of intelligence under whose observation it might come.

This much I have felt called on to say in behalf of Commander Todd. He is a citizen of my town; his father was my friend; I have known him since his boyhood; I am proud of his record, and feel that it is my duty to make for him the defense that his position debars him from making and which truth and common fairness require.

Todd may have technically violated a Navy regulation, but I repudiate the charges of falsehood so recklessly made against him, and place in the RECORD the memorandum he sent with his official statement, so that the antidote may go to the country with the poison.

Mr. LODGE. Mr. President, the decision of the House of Representatives in the matter of the surveys makes it needless to discuss that question, as I had intended to if there had been a further disagreement, but there are certain matters in connection with the subject which I desire to put in the RECORD.

This attack on the hydrographic survey has been made in the name of economy. Every one, Mr. President, has great respect for honest efforts to be economical in the Government expenditures, but I want to show, as I can in a single word, what that economy really is.

The proposition of the House was to cut down the appropriation for hydrographic surveys by \$90,000, and they added to the appropriations for the Coast Survey—I read from the official report of the sundry civil bill just passed—\$317,602. That is what the economy amounts to. They cut off \$90,000 and added \$317,602. It is all an illustration of the point I made in regard to the surveys the other day. The whole effort has been to break down the Hydrographic Survey of the Navy in order to extend the functions of the Coast Survey.

In that connection I desire, if there be no objection, to print in the RECORD certain memoranda which I have prepared in regard to the matter, which I shall not detain the Senate by reading. They contain a list of the little Coast Survey navy, which the Senator from New Hampshire [Mr. CHANDLER] described the other day, and they give some very useful information in regard to it.

The papers referred to are as follows:

MEMORANDUM ON THE COAST SURVEY.

President Cleveland's first annual message to Congress, December 8, 1885 (Forty-eighth Congress, first session), contained the following:

"This service (the Coast and Geodetic Survey) has never been regulated by anything but the most indefinite legal enactments and the most unsatisfactory rules. It was many years ago sanctioned, apparently for a purpose regarded as temporary, and related to a survey of our coast. Having gained a place in the appropriations made by Congress, it has gradually taken to itself powers and objects not contemplated in its creation, and extending its operations until it sadly needs legislative attention."

In the fourteen years which have passed since the above was written the

legal enactments affecting the Coast Survey have been even more indefinite than before and have served as a cover for the extension of operations and enlargements of its powers far beyond the limits existing at the time of President Cleveland's denunciation of its methods.

No legislative enactment whatever gave authority to the Coast Survey to issue a chart of the island of Porto Rico in October, 1888, months before the signing of the treaty of peace with Spain.

This chart was an exact reproduction of the Hydrographic Office chart No. 1001, and its issue could serve no other purpose than the unlawful extension of the operation of the Coast Survey.

The extensive programme of operations laid down in the special report of the Superintendent of the Coast and Geodetic Survey, contained in Senate Document No. 129 of the present Congress, has already been inaugurated without further legislative warrant than that contained in a subtitle of the sundry civil bill of 1889. No limitation of operation or powers is expressed or implied; no estimate of the ultimate cost was submitted or considered, and no consultation with other branches of the Government was sought or permitted.

The full commitment of the Government to the completion of the entire programme awaits only the authorization of the establishment of a suboffice of the Coast Survey in Manila, which authorization is to be secured by "a small addition to the present estimate" recommended by the Secretary of the Treasury in his letter transmitting the above-mentioned report of the Secretary.

An item of the same sundry civil bill contained in four lines of the CONGRESSIONAL RECORD has been sufficient authority for this service to set aside the existing laws and:

(1) To organize a graded corps of officers for service in the vessels of the Coast Survey and clothe it in a military uniform. The solecism of prescribing shoulder knots and omitting the sword with dress uniform does not disprove the fact that the uniform prescribed for these civilian employees and "professional seamen" is a military uniform.

(2) And to place these civil officers in military command over petty officers and enlisted men of the Navy.

(3) And to assign as commanding officers of these vessels landsmen not qualified or licensed to have charge of vessels at sea.

The following is a list of the employees of the Coast and Geodetic Survey termed "officers" by the Superintendent thereof:

Roster of officers of United States Coast and Geodetic Survey.

[Henry S. Pritchett, Superintendent.]

ASSISTANTS.

Baur, L. A.	Granger, F. D.	Preston, F. D.
Baylor, J. B.	Hayford, J. F.	Rodgers, A. F.
Bradford, G.	Hodgkins, W. C.	Schott, C. A.
Braid, A.	Marindin, H. L.	Sinclair, C. H.
Dickens, E. F.	Morse, F.	Tittmann, O. H.
Duffield, W. W.	Mosman, A. T.	Wainwright, D. B.
Eimbeck, W.	Nelson, J.	Weicker, P. A.
Ferguson, O. W.	Ogden, H. G.	Winston, L.
Forney, S.	Perkins, F. W.	
Gilbert, J. J.	Pratt, J. F.	

JUNIOR ASSISTANTS.

Boutelle, J. B.	Flynn, H. F.	Ritter, H. P.
Bowie, W.	French, O. B.	Smith, E.
Edmonds, F. W.	Lathan, E. B.	Vinal, W. I.
Fairfield, W. B.	Little, F. M.	Westdahl, F.
Faris, R. L.	McGrath, J. E.	Yates, C. C.
Flower, G. L.	Putnam, G. R.	Young, F. A.

AIDS.

Denson, H. C.	Frisby, E. R.	Tilton, B. E.
Derrickson, R. B.	Rhodes, H. W.	Weld, F. F.

JUNIOR AIDS.

Brundage, F. H.	Mitchell, H. C.	Severs, R.
Burger, W. H.	Noble, C. W.	Sourinne, V.
Fleming, J. A.	Phelps, G. S.	

ACTING AIDS.

Crist, F. G.	Sanger, W.	Vieth, E.
--------------	------------	-----------

ACTING JUNIOR AIDS.

Deichman, C. F.	Roeth, A. C. L.	Westdahl, L. H.
Earle, S.	Wainwright, D. B., jr.	

FIRST WATCH OFFICERS.

Ainsworth, F. H.	Glover, W. P.	O'Malley, W. A.
Crowley, B. J.	Green, C. L.	Thomas, G. F.
Dow, J. C.	Lyle, V. R.	

OTHER WATCH OFFICERS.

Appleton, W. G.	Fitzgerald, C. W.	Moser, R. McD.
Atkinson, W. M.	Furman, L. M.	Olsen, G.
Dunn, J. L.	Lewis, G. S.	Proctor, W. B.
Dutton, A. H.	McGrath, J. H.	Thompson, C. A.

ENGINEERS.

Ely, H.	Goldsborough, J. T.	Sullivan, J.
Flannery, M. F.	Hopkins, L. McC.	

SURGEONS.

Diggins, E. E.	Markoe, W. W.	Ulrich, J. H.
Hawkes, R. H.	Murphy, J. J.	
Marchand, G. E.	Shepherd, J. E.	

DRAFTSMEN.

Bauman, W.	Nespoli, W. C. F.	Pfau, J. S.
------------	-------------------	-------------

RECORDERS.

Barron, C. D.	Giacomini, A. F.	McGregor, J. A.
---------------	------------------	-----------------

Among the names of the 20 watch officers contained in this "roster," 17 appear upon the records of the Navy Department.

Nine of these held volunteer commissions during the war with Spain. Nothing in their letters of application, examinations, or reports of fitness indicate that they are qualified for the position of hydrographic surveyors, and their ages, averaging over 37 years, militate against their usefulness as such. It is safe to say that if they were in the Navy now they would not be regarded as qualified for the duty of hydrographic surveying.

The 8 other names appear on the muster rolls of the Navy, and most of these men are well known to officers of the Navy who have served on the Coast Survey vessels in the last ten years. These men, whose average age is 35 years, were recorders, draftsmen, and clerks, and borne on the Navy

rolls as petty officers. Their work, which was done under the direct supervision of naval officers, never included any duty pertaining to taking charge of the deck or of boat surveys or to the command of seamen.

Notwithstanding an item of the last sundry civil bill reads "for the pay and subsistence of professional seamen acting as executive officers and mates," six of these "first-watch officers" and "other watch officers," as they are designated on the roster of officers of the Coast Survey, are borne on the rolls of the Navy as enlisted men, and paid from the "pay of the Navy."

Upon these 20 "professional seamen" devolves the execution of the hydrographic surveys which are outlined in the report of the superintendent as extending from Porto Rico to the Philippines and from Tutuila to Cape Nome.

Previous to the Spanish-American war the accuracy of all charts issued by the Coast and Geodetic Survey for maritime purposes was vouched for by the hydrographic inspector of the Coast Survey, an officer of the Navy. These charts also bore the names of the surveyors, which in most instances were naval officers. Recently, however, the charts issued by the Coast and Geodetic Survey bear the name only of the superintendent, who is neither a seaman nor a surveyor.

The value of a chart depends upon the reliability of the survey from which it is made. Under the present régime of the Coast Survey the surveys for charts issued are made by employees who are without experience in the performance of their duties, and who hold their positions by the favor of a bureau. The average length of service of the chief of this Bureau is about four years. Such charts will never command the confidence of naval officers.

THE TENDENCY OF DUPLICATION OF PUBLIC WORK IN THE OPERATIONS OF THE BUREAU OF EQUIPMENT OF THE NAVY DEPARTMENT AND THE COAST AND GEODETIC SURVEY OF THE TREASURY DEPARTMENT.

The act making appropriations for the naval service, approved March 3, 1899, authorizing the Navy to make "surveys of the imperfectly known parts of the coasts and harbors of the Philippine Archipelago, and the islands of Cuba and Porto Rico, with their bordering keys and waters and minor outlying islands."

The act making appropriations for the sundry civil expenses of the Government, approved March 3, 1899, provides the Coast and Geodetic Survey of the Treasury Department with an appropriation "for every expenditure requisite for and incident to the survey of the coasts of the United States and of the coasts under the jurisdiction of the United States."

1. These enactments employ direct terms to authorize two separate Executive Departments of the Government to enter the same field of work. As to which of these Departments should be charged with the further prosecution of the marine hydrographic surveys of the coasts of the lately acquired insular possessions of the United States, or as to whether there should be a division of the field of work between the two, is a question of economics that Congress is called upon to decide.

2. As the undertaking is essentially ship work, its assignment to the Coast and Geodetic Survey of the Treasury Department would necessitate the repair of the older vessels of the survey, the building or purchase of new ones, and the appropriation of large sums to man them, unless the application of sections 405, 408, and 407 be revived under the construction that the term "coasts of the United States" under Title LVI of the Revised Statutes may include the coasts of Cuba and Porto Rico and their minor outlying islands, and of Guam, and the Hawaiian and Philippine islands.

In House Document No. 12, Fifty-sixth Congress, first session, "Letter from the Secretary of the Treasury transmitting estimates of appropriations required for the service for the fiscal year ending June 30, 1901," pages 236 and 237, the Coast and Geodetic Survey has submitted estimates of \$80,000 for the repair and procurement of surveying vessels, and of \$182,745 for the personnel to man them, or \$262,745 in all, for such purposes, above its current annual appropriations; evidently upon the ground that the services of the Army and Navy, as provided for in the statutes just referred to, are not at present available, or else that the provisions of Title LVI of the Revised Statutes do not apply to the surveys to be executed under the appropriations that are sought.

3. On the other hand, there are strong natural and economic reasons why these coast surveys of the insular possessions should be assigned to the Navy:

(a) The work is mainly of a nautical character, and the Navy is a nautical body.

(b) The experience gained will diffuse through the naval service a knowledge of the waters surveyed, which will react as a measure of security in the navigation of the vessels of the Navy.

(c) The sum total of the experience of the nation in marine hydrographic surveying is lodged in the Navy, for, under the provisions of the statutes by which officers and enlisted men of the Navy have been detailed for service under the Coast Survey, practically all of the hydrographic surveys of the coasts of the United States have been executed by the Navy.

(d) This total of experience represents an investment on the part of the people of the United States which they are entitled to employ to their advantage.

(e) The Navy has ships ready to assign to the work and in sufficient number to carry the surveys forward with effective progress.

(f) If vessels of the naval service must continue to visit and remain at the insular possessions, upon what economic ground could they be excluded from necessary public work in these waters which may be performed by them at a small additional expense above the cost of their ordinary maintenance, but which would otherwise require relatively large expenditures from the public revenues?

4. Both of these Departments have entered upon the work of surveying the coasts of the new possessions. The Navy has 2 vessels engaged in making surveys in Cuba, 1 in the outlying islands eastward of Porto Rico, 1 in the Hawaiian Islands, and 1 at Guam; and orders have been issued for the preparation of 6 of the naval vessels in the Philippine Islands to commence the surveys of those waters. The Coast and Geodetic Survey has 1 vessel engaged in making surveys on the south coast of Porto Rico, and 1 in the Hawaiian Islands. Thus far no case has arisen in which vessels of the two Departments have surveyed the same ground, and there has been no actual duplication of the field work.

5. But in the construction of nautical charts by these two Departments a public evil has arisen in that the Government has been called upon to pay for duplicate sets of charts of Cuba, Porto Rico, Guam, and the Hawaiian Islands.

6. Under the provisions of sections 431 and 432 of the Revised Statutes, the Navy Department had years ago constructed and published, from the best information, charts of Cuba, Porto Rico, Guam, and the Hawaiian Islands under the statutory authority "to cause to be prepared at the Hydrographic Office * * * maps, charts, and nautical books relating to and required in navigation, and to publish and furnish them to navigators at the cost of printing and paper." * * *

7. It is doubtful whether the Coast and Geodetic Survey has any authority of law to construct or publish any charts excepting those resulting from its own surveys, and before March 3, 1899, its surveying operations were not authorized to be extended to the newly acquired possessions of the United States; yet in 1898 Coast and Geodetic Survey Chart No. 482, the island of Cuba, was published from Spanish surveys which had already been made

available to the Government and the people of the United States in Navy Department Chart No. 1550. In the same year and before the Treasury Department had done any surveying in the West Indies, Coast and Geodetic Chart No. 910, the island of Porto Rico, was published in practical duplication of Navy Department Chart No. 1001, which has been on issue by the Hydrographic Office since 1897 and has the latest information incorporated into it. In the same year and before the Treasury Department had done any surveying in the Hawaiian Islands, Coast and Geodetic Chart No. 4100, the Hawaiian Islands, was published, duplicating Navy Department Chart No. 1398, of the Hawaiian Islands, which had been issued by the Hydrographic Office since 1899. And again, in 1899, and without ever having done any surveying whatever at the island of Guam, the Coast and Geodetic Survey has republished, in Chart No. 422, the information that is represented in Navy Department Chart No. 1746, which the Hydrographic Office has been issuing since 1898.

Mr. LODGE. I have letters here from the American-Hawaiian Steamship Company; William Diamond Company, shipping and commission merchants of New York; the Boston Insurance Company, who are large marine underwriters; Flint & Co., of New York; the Insurance Company of North America at Philadelphia, also marine underwriters.

Two of these letters I desire to print in the RECORD. The others are substantially repetitions of them. I will read only one, that from the American-Hawaiian Steamship Company; which is as follows:

AMERICAN-HAWAIIAN STEAMSHIP COMPANY,
BOWLING GREEN OFFICES, 11 BROADWAY,
New York, April 23, 1900.

SIR: We beg to respectfully invite your attention to that provision of the naval appropriation bill relating to the transfer of the work of the Hydrographic Office of the Navy Department to the Coast and Geodetic Survey under the Treasury Department.

As shipowners and as charterers of many American ships, we wish to state in this connection that we do not believe that such a transfer would be wise. We are of the opinion that the method and manner of making surveys is more efficient when the work is performed under the direction of naval officers than under civilian employees employed by the Treasury Department. We believe, too, that the charts furnished by the Hydrographic Office of the Navy Department are more reliable than those obtained from the Coast and Geodetic Survey.

Many of our ships ply between this coast and the Pacific ports of the United States, including Hawaii. Our interests also extend to the West Indies and the Philippines, and we believe that these new possessions would be more suitable and efficiently surveyed by the Hydrographic Office of the Navy Department than by the Coast and Geodetic Survey, to which it is proposed to transfer this work.

Naturally, large shipping houses like our own are most deeply interested in this matter. In fact, outside of the Navy, marine underwriters and shipowners have virtually the only interests at stake, and we trust our views of this subject, derived, as they are, from long years of observation and personal knowledge, will be given due consideration.

The value of a chart is dependent almost entirely upon the survey from which it is made. It will doubtless be astonishing to you to know that the surveys as made by the Coast and Geodetic Survey are made by employees who have had little or no experience in the performance of their duties. Such charts do not command the confidence of American ship owners or masters, while, on the other hand, we have every confidence in charts published by the Navy Department.

We think this feature of the bill should be defeated, and that all surveying should be done under the direction of naval officers who are thoroughly competent and well equipped to perform the duties assigned them.

Very respectfully yours,

AMERICAN-HAWAIIAN STEAMSHIP COMPANY,
H. E. D. JACKSON, Secretary.
Hon. HENRY C. LODGE,
United States Senate, Washington, D. C.

I shall also print the letter from the Boston Insurance Company. The others, as I have said, are merely repetitions, and I will omit them.

BOSTON INSURANCE COMPANY, Boston, April 30, 1900.

DEAR SIR: Our attention has been called to the provision of the naval appropriation bill relating to the transfer of the work of the Hydrographic Office of the Navy Department, and as we believe that such transfer would be to the prejudice of the best interests of the mercantile marine of this country, we beg respectfully to ask your attention and consideration of our plea.

We believe that the method and manner of making surveys is more efficient when the work is performed under the direction of naval officers than under civilian employees of the Treasury Department, and that the charts furnished by the Hydrographic Office of the Navy Department are more reliable than those obtained from the Coast and Geodetic Survey.

We believe that the new possessions of the United States in the West Indies, Hawaiian and Philippine Islands would be more suitably and efficiently surveyed by the Hydrographic Office of the Navy Department than by the Coast and Geodetic Survey, to which it is proposed, by the measure before the Congress, to transfer the work.

Naturally, marine underwriters, in common with the shipping community, are most deeply interested in the matter, and, in fact, we may say that, outside of the Navy, marine underwriters and shipowners are those having the largest interests at stake, and we trust that our views of the subject, derived, as they are, from many years of experience and observation, will be given due consideration.

The value of a chart is dependent almost entirely upon the survey from which it is made, and the charts published by the Navy Department have the confidence of the shipping community and masters of vessels.

We believe that the mercantile marine will be best served by keeping the work of surveying, as heretofore, under the direction of naval officers thoroughly competent and well equipped for the work, and we trust you will agree with us that the feature of the bill making the proposed transfer should not be favorably acted upon or become law.

Yours truly,

Hon. HENRY CABOT LODGE, Washington, D. C.

I wish to call attention to these letters and to put these matters in the RECORD, because it is an illustration of the evil to which I

C. A. FULLER,
Vice-President.

very briefly called attention the other day in a debate of the sundry civil bill, and that is, the multiplication of these surveys adding up and duplicating the work. If economy is needed—and I have no question that it is greatly needed—it is not to be found in adding largely to the appropriations of one of these surveys, but it is to be found in concentrating the land surveys under the Secretary of the Interior, and the water surveys—the coast and deep-water surveys alike—under the Secretary of the Navy, and to have one competent head of each survey. We shall then get better results with less expenditure, but now under the present system, with all these different surveys competing for the public money, we have such struggles as this Congress has witnessed in its closing hours. We have been kept in session twenty-four hours longer than was necessary by this effort of one survey to get additional money and to break down another. It is not creditable to the Government to have such a situation as this exist. The subject ought to be taken up by Congress, and intelligent concentration should be effected.

The naval officer, who has been so well defended by the Senator from Kentucky [Mr. LINDSAY], against whom this attack has been made, and who has been suspended from his office, has to suffer severely if he even sends out a circular; but we all know that no punishment falls upon the civilian surveys if they take members of Congress off on Government ships and use every effort to secure their own increased appropriations.

I am not attacking any man for seeking to aggrandize the department under his charge; but I do object, Mr. President, to this attack upon the properly constituted bureaus of the different Departments. If this goes on, we shall see this fight extended. We saw the other day an effort to put into the hands of the Coast and Geodetic Survey the running of a boundary line, and to take it out of the hands of the land survey of the Interior Department. The next step will be to take from the Army engineers the surveys of our rivers and harbors.

Mr. President, it is not by accident that Congress put these duties upon officers of the Army and the Navy. They are men under military discipline; their future is fixed; their salary is established; they are transferred from one duty to another; they can get no personal advantage out of it, and they have no need or desire to increase the patronage of their offices. I think the attempt to break them down, as has been done in the case of the Hydrographic Survey, reflects no credit on the men who undertook it, and I hope, Mr. President, despite the pessimistic views of the Senator from Colorado [Mr. WOLCOTT], who has made a fight so long against another survey, of which I know little or nothing—despite his pessimistic views that nothing can be done, I believe that something can be done. I think the matter has been brought now forcibly to the attention of Congress, and I hope that at the next session we shall take it up and bring about that concentration which we so much need, and that we shall not go on building up four or five little navies and half a dozen surveys, thus duplicating the work over and over again, and spending hundreds of thousands of dollars and having no decent results as the outcome.

Mr. CHANDLER. Mr. President, I do not wish to repeat anything which has been said by the Senator from Massachusetts [Mr. LODGE]. I concur fully with his views, and hope that the subject may be taken up next winter by Congress and effectually dealt with. I only rise to say a word in behalf of Commander Todd. He undoubtedly made a mistake in writing the letter which he sent out, if he sent it without the knowledge and consent of his superiors. So sent, it was contrary to naval regulations. It was not a sufficient excuse for him that the civil officers employed in the Coast and Geodetic Survey had sent out similar letters on the other side, because there was no rule in the Treasury Department which prevented officers of the Coast and Geodetic Survey under that Department from writing as many letters soliciting the exercise of influence upon Congress as they chose to issue.

Commander Todd, being an officer of the naval establishment, did not have that freeman's privilege, and should not have sent out that letter. Moreover, when inquiry was made whether such a letter had been sent out by the Hydrographic Office, he made a mistake if he treated the letter which he had sent out as a private communication. He, however, did this honestly, and I think he has suffered enough in the castigation which he has received in the other House of Congress. I am glad that no Senator has deemed it important to reiterate that attack, because, as the Senator from Kentucky [Mr. LINDSAY] has shown us, the record of Commander Todd is that of one of the best officers in the Navy. I think he has endured and suffered enough on account of any indiscretion he may have committed, and I hope that the Secretary of the Navy will deem it the exercise of wisdom as well as of kindness to relieve this officer from his suspension as soon as the first session of the Fifty-sixth Congress, which he has offended, expires.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 4554) granting an increase of pension to Margaret M. Badger.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (S. 351) granting an increase of pension to Samuel S. White.

The message further announced that the House had agreed to the concurrent resolution of the Senate requesting the President of the United States to return to the Senate the bill of the Senate (S. 306) relating to accounts of United States marshals and clerks of the district courts for the Territory of Utah.

SAMUEL S. WHITE.

Mr. GALLINGER submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 351) granting an increase of pension to Samuel S. White, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House and agree to an amendment as follows: In lieu of the sum proposed by the House insert "twenty," and the House agree to the same.

J. H. GALLINGER,
J. V. QUARLES,
Managers on the part of the Senate.
H. C. LOUDENSLAGER,
J. H. BROMWELL,
S. A. DAVENPORT,
Managers on the part of the House.

The report was agreed to.

IMMIGRATION OFFICE IN NEW YORK CITY.

Mr. PETTIGREW. Mr. President, I introduced a resolution yesterday asking the Secretary of the Treasury for certain information which I now desire to call up and have put upon its passage.

The PRESIDENT pro tempore. The Secretary will read the resolution.

Mr. GALLINGER. The resolution was laid on the table, I think, by a vote of the Senate.

Mr. PETTIGREW. Not this resolution.

The PRESIDENT pro tempore. The resolution will be read. The Secretary read the resolution submitted yesterday by Mr. PETTIGREW, as follows:

Resolved, That the Secretary of the Treasury be, and he is hereby directed to send to the Senate all the evidence and reports in relation to an investigation of the immigration office in New York City by the Treasury Department.

Mr. CHANDLER. I move to amend the resolution by saying "send to the Senator from South Dakota." I do not think the Secretary of the Treasury will have time to send the information to the Senate, and I want the Senator from South Dakota to have the report. Therefore, with the Senator's permission, let the resolution be amended, I suggest.

Mr. PETTIGREW. Well, Mr. President, I know considerable about the matter already, but I prefer to have the information come to the Senate, even if the Senator from New Hampshire does not get it until next fall. It will do him good whenever he gets it.

Mr. CHANDLER. I want the Senator from South Dakota to have it.

Mr. ALLISON. If the resolution is subject to objection, I desire to object to it.

Mr. CHANDLER. Then I withdraw my motion to amend.

Mr. PETTIGREW. I move to proceed to the consideration of the resolution. I suppose it is before the Senate anyway, having come over from yesterday.

The PRESIDING OFFICER (Mr. KEAN in the chair). The Senator from South Dakota moves to proceed to the consideration of the resolution submitted by him.

Mr. PETTIGREW. I desire to make a few remarks on the resolution.

Mr. ALLISON. Let the resolution be again read.

The PRESIDING OFFICER. The resolution will be again read.

The Secretary again read the resolution submitted yesterday by Mr. PETTIGREW.

Mr. LODGE. I rise to a parliamentary inquiry. How is that resolution before the Senate, Mr. President?

Mr. PETTIGREW. The resolution comes over from yesterday.

The PRESIDING OFFICER. It is a resolution offered yesterday by the Senator from South Dakota.

Mr. LODGE. It was offered during the morning hour, and the morning hour has expired.

Mr. PETTIGREW. I offered it yesterday.

The PRESIDING OFFICER. The resolution was offered yesterday.

Mr. LODGE. But it could only come up during the morning hour, except by motion.

Mr. PETTIGREW. I called it up during the morning hour, and a motion was made to take a recess pending its consideration, and I think it is before the Senate beyond question.

The PRESIDING OFFICER. Is there objection to the request of the Senator from South Dakota for the present consideration of the resolution?

Mr. PETTIGREW. I think the resolution is before the Senate, because it came over from yesterday, and was called up by me in the morning hour, but the Senate took a recess.

Mr. ALLISON. There are some things about this resolution that I think should be investigated by the Committee on Immigration, and I trust the Senator will allow it to be referred to that committee.

Mr. PETTIGREW. If a motion is made to refer the resolution, and it is agreed to by vote, I can not help it.

Mr. ALLISON. I move to refer the resolution if it is before the Senate, but I do not know that it is before the Senate.

The PRESIDING OFFICER. The Senator from South Dakota moves that the Senate proceed to the consideration of the resolution.

Mr. PETTIGREW. I think it is before the Senate.

The PRESIDING OFFICER. It is not.

Mr. PETTIGREW. It came over from yesterday, and I called it up in the morning hour to-day; so it is certainly before the Senate.

Mr. ALLISON. Certainly the morning hour expired at 1 o'clock.

Mr. SPOONER. It expired if it ever will expire.

Mr. PETTIGREW. What is the decision of the Chair?

The PRESIDING OFFICER. If the Senator will state the question again, the Chair will decide.

Mr. PETTIGREW. I say the resolution was introduced yesterday and went over until to-day. I called it up during the morning hour, and the consideration of it was suspended by a motion to take a recess.

The PRESIDING OFFICER. The statement is correct. The Chair thinks the Senator has a right to call up the resolution.

Mr. PETTIGREW. Then it is before the Senate?

The PRESIDING OFFICER. It is.

Mr. ALLISON. If the Senator does not desire to make any observations upon the resolution, I will move to refer it to the Committee on Immigration.

The PRESIDING OFFICER. The question is on the motion of the Senator from Iowa [Mr. ALLISON] to refer the resolution.

Mr. PETTIGREW. Now, I wish to make some very brief remarks in regard to the resolution.

The PRESIDING OFFICER. The Senator from South Dakota.

Mr. PETTIGREW. Mr. President, I understand there was evidence taken before the Industrial Commission in regard to the conduct of the immigration office in New York City, that the evidence tended to show that the permits issued to ships and to immigrants to come to this country by our consuls abroad were nearly one-third greater in number than the number of immigrants from whom the head tax was collected in New York, and that an investigation has been going on by the Treasury Department which will clear up the facts in the case and determine who is responsible. In other words, there are many rumors of corrupt practices. I have introduced the resolution for the purpose of allowing the Treasury Department to clear up these matters if our officers are not derelict in their duties, and if they have been derelict, to give us that information. I very much hope the Senate will pass the resolution rather than refer it to a committee, so that we can have the information when we meet again next December.

That is all I care to say upon the subject.

The PRESIDING OFFICER. The question is on the motion of the Senator from Iowa, to refer the resolution to the Committee on Immigration.

Mr. ALLISON. One word, Mr. President. Such investigations are made by special agents of the Treasury Department, and, in the nature of things, they must be rather of a confidential character. As the Secretary of the Treasury, as stated by the Senator, is now making an investigation, I hope this resolution may be referred to the Committee on Immigration, and the matter can be taken up next winter.

The PRESIDING OFFICER. The question is on the motion of the Senator from Iowa [Mr. ALLISON], to refer the resolution to the Committee on Immigration.

The motion was agreed to.

RECESS.

Mr. ALLISON (at 4 o'clock p. m.). I move that the Senate take a recess for half an hour.

The motion was agreed to; and the Senate took a recess until 4:30 o'clock p. m., when it reassembled.

PETITIONS.

Mr. MASON presented a petition of the Lake County Union of the Young People's Society of Christian Endeavor, of Illinois, and a petition of the Young People's Society of Christian Endeavor of Waukegan, Ill., praying for the enactment of legislation to prohibit the sale of intoxicating liquors in Army canteens and in all Government buildings and premises; which were referred to the Committee on Military Affairs.

MILLE LAC CHIPPEWA INDIANS.

Mr. JONES of Arkansas. I present the minutes of a meeting of a council of the Mille Lac band of Chippewa Indians, held at Lawrence, on the Mille Lac Indian Reservation, in the State of Minnesota, on the 27th day of May, 1900, protesting against the passage of the bill (S. 3396) for the relief of the Mille Lac Chippewa Indians in the State of Minnesota. I move that it be printed as a document, and referred to the Committee on Indian Affairs.

The motion was agreed to.

ACCOUNTS OF DISTRICT COURT OFFICERS IN UTAH.

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States, which was read:

To the Senate:

In compliance with a resolution of the Senate of the 7th instant (the House of Representatives concurring) I return herewith the bill of the Senate (S. 3106) entitled "An act relating to the accounts of United States marshals and the clerks of the district courts for the Territory of Utah."

WILLIAM MCKINLEY.

JUNE 7, 1900.

Mr. PLATT of Connecticut. I move that the message be referred to the Committee on the Judiciary and printed.

The motion was agreed to.

EXECUTIVE SESSION.

Mr. CULLOM. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and (at 4 o'clock and 33 minutes p. m.) the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were reopened.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had passed a bill (H. R. 4177) to correct the military record of William Elkert; in which it requested the concurrence of the Senate.

The message also announced that the House had agreed to the amendments of the Senate to the concurrent resolution of the Senate indicating June 7, at 5 o'clock p. m., as the day for sine die adjournment.

The message further announced that the House had passed a resolution appointing three members to join a similar committee appointed by the Senate to wait upon the President of the United States and inform him that the two Houses have completed the business of the present session and are ready to adjourn unless the President has some other communication to make to them, and that the Chair had appointed Mr. PAYNE, Mr. BINGHAM, and Mr. RICHARDSON as the members of the committee on the part of the House.

ENROLLED BILLS SIGNED.

The message further announced that the Speaker of the House had signed the following enrolled bills and joint resolutions; and they were thereupon signed by the President pro tempore:

A bill (H. R. 4554) granting an increase of pension to Margaret M. Badger;

A bill (H. R. 3799) for the relief of Stanley Snodgrass, of Jefferson County, Miss.;

A bill (H. R. 10450) making appropriations for the naval service for the fiscal year ending June 30, 1901, and for other purposes;

A bill (S. 351) granting an increase of pension to Samuel S. White;

A joint resolution (S. R. 130) making an emergency appropriation for the repair of certain roads and bridges in the District of Columbia; and

A joint resolution (S. R. 201) donating a condemned cannon to the Commandery in Chief of the Sons of Veterans, United States of America.

NOTIFICATION TO THE PRESIDENT.

Mr. ALLISON submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That a committee of two Senators be appointed by the Chair, to join a similar committee appointed by the House of Representatives, to wait upon the President of the United States and inform him that the two Houses, having completed the business of the present session, are ready to adjourn unless the President has some other communication to make to them.

The PRESIDENT pro tempore appointed Mr. ALLISON and Mr. COCKRELL as the committee under the resolution.

HOUSE BILL REFERRED.

The bill (H. R. 4177) to correct the military record of William

Elkert was read twice by its title, and referred to the Committee on Military Affairs.

EXCLUSION FROM SUFFRAGE.

Mr. BURROWS. There seems to be a little lull in business, and I ask unanimous consent to consider Senate resolution 384 at this time.

Mr. ALLISON. We have just passed a resolution declaring that we have completed the business of the session.

Mr. CHANDLER. It is only an investigation resolution of the Senate.

The PRESIDENT pro tempore. The Senator from Michigan asks unanimous consent—

Mr. SULLIVAN. I object.

Mr. CHANDLER. The resolution ought to be read before objection is made.

Mr. SULLIVAN. I see it before me.

Mr. BURROWS. I think the Senator from Mississippi will not object when he hears it read.

Mr. MCCOMAS. Let it be read.

Mr. CHANDLER. After the passage of the Snodgrass bill I do not think the Senator from Mississippi ought to object to a mere resolution of inquiry.

Mr. SULLIVAN. I think I ought to object. This is not a Snodgrass bill.

Mr. MCCOMAS. Let it be read.

Mr. SULLIVAN. I object.

The PRESIDENT pro tempore. The Secretary will read the resolution.

The SECRETARY. A resolution directing the Committee on Privileges and Elections to inquire and report whether an enactment by constitution or otherwise by any State which confers the right to vote upon any of its citizens because of their descent, etc., and excludes other persons because they are not so descended, etc., is in violation of the Constitution of the United States.

The PRESIDENT pro tempore. Is there objection to the present consideration of the resolution?

Mr. PETTUS. There is.

Mr. SULLIVAN. I object.

The PRESIDENT pro tempore. There is objection.

Mr. BURROWS. Who objected, Mr. President? Is there objection? I did not hear it.

Mr. MALLORY. I object.

Mr. SULLIVAN. Yes, sir; I object.

The PRESIDENT pro tempore. The Senator from Mississippi objects.

Mr. BACON. I wish to have an opportunity to offer sundry amendments as to various States when we take up that resolution. I have not time to do it now.

PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. O. L. PRUDEN, one of his secretaries, announced that the President had on this day approved and signed the following acts and joint resolution:

An act (S. 4756) directing the issue of a duplicate of lost check drawn by James B. Quinn, major, Corps of Engineers, United States Army, in favor of Henry L. Breneman;

An act (S. 3616) to authorize the payment of traveling allowances to enlisted men of the regular and volunteer forces when discharged by order of the Secretary of War and stated by him as entitled to travel pay;

An act (S. 351) granting an increase of pension to Samuel S. White; and

A joint resolution (S. R. 130) making an emergency appropriation for the repair of certain roads and bridges in the District of Columbia.

FLORA A. DARLING.

Mr. MASON. Mr. President, some days since I called up the bill (S. 1795) for the relief of Flora A. Darling, and the bill was read. I ask unanimous consent that the bill be put upon its passage.

The PRESIDENT pro tempore. The Senator from Illinois asks unanimous consent for the present consideration of a bill which will be read.

Mr. MASON. It was read the other day, and the Senator from Iowa [Mr. ALLISON] objected on account of the appropriation that was in it. It has been to the Court of Claims.

The PRESIDENT pro tempore. The bill will be read.

Mr. MASON. The bill has been read, but it can be read again.

Mr. SPOONER. Let it be read again.

The Secretary read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby authorized and directed to pay to Mrs. Flora A. Darling, out of any money in the Treasury not otherwise appropriated, the sum of \$15,684, in full satisfaction of all claims growing out of her arrest, imprisonment, and the seizure of her property by military authority at the city of New Orleans, in January, 1864, while on a flag-of-truce boat under protection of a safe-conduct given her by Maj. Gen. N. P. Banks, then commanding the Department of the Gulf.

Mr. MASON. It has been to the Court of Claims. The bill was for \$15,000, and the Committee on Claims recommends the payment of \$5,000.

Mr. SPOONER. Is there any finding of the Court of Claims?

Mr. MASON. There is a finding of the Court of Claims as to the facts and the finding has been approved. I will state to the Senator—

Mr. SPOONER. I remember all about the case. It is not a new case.

Mr. MASON. Oh, no; it has been reported again and again.

Mr. SPOONER. Is the finding of the court here?

Mr. MASON. The finding of the court is embodied in the report of the committee. The total amount found to be due—

Mr. CHANDLER. I ask for the reading of the report.

Mr. MASON. It is of considerable length. I can state it in substance in five minutes. She was on a flag of truce and was entitled to protection. A bill was passed several times, and finally the case was sent to the Court of Claims, and the amount stated was a good deal larger than the amount recommended by the committee for payment. The Senator from Iowa [Mr. ALLISON] objected at one time, and then withdrew his objection. The Senator is now entering the Chamber.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

Mr. PLATT of Connecticut. I object.

NOTIFICATION TO THE PRESIDENT.

Mr. ALLISON and Mr. COCKRELL, of the joint committee who were appointed to wait upon the President of the United States and inform him that Congress was ready to adjourn, appeared at the bar of the Senate; and

Mr. ALLISON said: Mr. President, the committee of the two Houses appointed by the respective Chairs of the two Houses visited the President and informed him that the two Houses have completed the business of the session and are now ready to adjourn unless he might have some further communication to make. In reply the President expressed his congratulations to the two Houses upon the amount of business done in so short a period of time, and stated that he has no further communication to make.

THANKS TO THE PRESIDENT PRO TEMPORE.

Mr. COCKRELL. Mr. President, I take a great deal of pleasure in offering a resolution and asking for its present consideration.

The PRESIDING OFFICER (Mr. CARTER in the chair). The resolution will be read to the Senate for its information.

The resolution was read, as follows:

Resolved, That the thanks of the Senate are hereby tendered to Hon. William P. Frye for the dignified, impartial, and courteous manner in which he has presided over its deliberations during the present session.

The PRESIDING OFFICER. The Senator from Missouri asks unanimous consent for the present consideration of the resolution.

The resolution was considered by unanimous consent, and unanimously agreed to.

FINAL ADJOURNMENT.

The hour of 5 o'clock p. m. having arrived.

The PRESIDENT pro tempore said: Senators, I appreciate very highly this expression of your confidence and approval, but I think I should thank you rather than you me. Your patient forbearance with me, your uniform kindness to me, have made the duty of presiding over your deliberations a pleasure, not a task.

I wish you agreeable and safe journeys to your homes, and hope that our dear Lord will permit you all, us all, to meet here in this Chamber next December.

The hour of 5 o'clock having arrived, in accordance with the resolution of Congress the Senate stands adjourned sine die.

NOMINATION.

Executive nomination received by the Senate June 7, 1900.

SURVEYOR-GENERAL FOR DISTRICT OF ALASKA.

William L. Distin, of Illinois, to be surveyor-general for the district of Alaska, as provided for by an act of Congress approved June 6, 1900.

CONFIRMATIONS.

Executive nominations confirmed by the Senate June 7, 1900.

SURVEYOR-GENERAL OF ALASKA.

William L. Distin, of Illinois, to be surveyor-general for the district of Alaska.

COLLECTOR OF CUSTOMS.

John K. Gladden, of Maryland, to be collector of customs for the district of Annapolis, in the State of Maryland.

POSTMASTER.

J. B. Black, to be postmaster at Butler, in the county of Butler and State of Pennsylvania.

HOUSE OF REPRESENTATIVES.

THURSDAY, June 7, 1900.

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. HENRY N. COUDEN, D. D.

The Journal of the proceedings of June 5 was read and approved.

REPAIRS OF ROADS AND BRIDGES IN DISTRICT.

Mr. RICHARDSON. Mr. Speaker, I ask unanimous consent for the present consideration of Senate joint resolution 130, making emergency appropriations for the repair of certain roads and bridges in the District of Columbia.

The joint resolution was read, as follows:

Resolved, etc., That the sum of \$10,000, or so much thereof as may be necessary, be, and the same is hereby appropriated, out of any money in the Treasury not otherwise appropriated, for the repair of county roads and bridges (including those in the Rock Creek and the Zoological parks) that were damaged by the storm of June 2, 1900, the same to be immediately available, and to be expended under the Commissioners of the District of Columbia.

Mr. LENTZ. Mr. Speaker, until we can have the Cœur d'Alene testimony printed we do not need to take any pleasure rides in the District.

Mr. RICHARDSON. I hope the gentleman from Ohio will hear me a moment. This is an emergency appropriation. The flood a few days ago destroyed Government property; and if this Congress adjourns without making this appropriation, still greater damage will ensue to the Government property. It is a matter in which I have no interest in the world, nor has any other gentleman here, except the interest to see that the Government property is preserved. I appeal to the gentleman from Ohio in the interest of good legislation to let this joint resolution pass. The Government property will certainly be injured to a very considerable extent if left in the condition it now is in, as I am informed by the Commissioners of the District of Columbia. They have seen me and described its condition.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PLATT, one of its clerks, announced that the Senate had passed without amendment bills of the following titles:

H. R. 5765. An act relating to section 61 of the revenue act of August 28, 1894;

H. R. 8141. An act granting a pension to Mrs. Sarah J. Peddycourt;

H. R. 8234. An act to increase the pension of Marie L. Apgar;

H. R. 8689. An act to provide for payment of 50 per cent additional for all work in excess of eight hours per diem for certain per diem employees of the Government;

H. R. 10071. An act granting an increase of pension to Mary W. Clarke;

H. R. 10815. An act to grant a pension to Lucius K. Smalling;

H. R. 10235. An act granting an increase of pension to George Friend;

H. R. 10616. An act granting an increase of pension to Jonathan Mead;

H. R. 10742. An act granting a pension to Milburn W. Testerman;

H. R. 10865. An act for the relief of John Boller;

H. R. 10873. An act to increase the pension of Ida J. Peixotto;

H. R. 11010. An act granting an increase of pension to James Eastman;

H. R. 5755. An act for the relief of William Wolfe;

H. R. 8765. An act for the relief of John C. Smith;

H. R. 737. An act granting a pension to Cynthia A. Middleton;

H. R. 1965. An act granting a pension to John Lonergan;

H. R. 2392. An act granting a pension to Daniel Davis;

H. R. 2398. An act granting a pension to Andrew Jackson;

H. R. 3767. An act granting a pension to John R. Johnson;

H. R. 4650. An act granting a pension to Mrs. Sarah Parrish;

H. R. 4879. An act granting an increase of pension to D. Cyrus Holdridge;

H. R. 4991. An act granting a pension to Maria V. Sperry;

H. R. 5120. An act granting a pension to John S. Coggeshall;

H. R. 5444. An act to increase the pension of Albert W. Brush;

H. R. 5894. An act to increase the pension of Nathaniel Townsend;

H. R. 7158. An act to increase the pension of Levi S. Parrott;

H. R. 7159. An act to increase the pension to Wesley C. Sawyer;

A bill (H. R. 4992) for the relief of Mrs. Susan Buntine;

A bill (H. R. 9701) granting a pension to Jonah Duncan, of Pickett County;

A bill (H. R. 1230) for the relief of Hannah Kennedy;

A bill (H. R. 4990) to increase the pension of Maj. William H. McLyman;

A bill (H. R. 5439) granting a pension to Thomas Holland;

A bill (H. R. 4455) granting a pension to Louisa Weidner, otherwise called Louisa Milnor;

A bill (H. R. 8157) granting an increase of pension to T. C. Mills;

A bill (H. R. 3252) for the relief of Sarah Somerville Lion, widow of Maj. Thomas W. Lion;

A bill (H. R. 6151) granting a pension to Zylpha J. Kelly, of Aurora, Ind.;

A bill (H. R. 10082) granting an increase of pension to Lewis Oliver;

A bill (H. R. 4241) granting a pension to Alverdie Rush;

A bill (H. R. 8217) granting a pension to Josephine B. Wood;

A bill (H. R. 5330) granting a pension to Uri S. Keith;

A bill (H. R. 6829) granting an increase of pension to John K. Crosby;

A bill (H. R. 5555) granting a pension to Virginia Hull;

A bill (H. R. 4942) granting a pension to Lydia A. Stockwell;

A bill (H. R. 8829) granting an increase of pension to John P. Pepper;

A bill (H. R. 4456) for the relief of Alice A. Hartz, helpless child of John Hartz, late a private in Company K, One hundred and sixty-third Regiment Pennsylvania Volunteers;

A bill (H. R. 5047) granting a pension to Miss Amanda Hurd;

A bill (H. R. 4577) to increase the pension of John D. Craig;

A bill (H. R. 4627) granting an increase of pension to Rachel M. Harvey;

A bill (H. R. 9207) granting a pension to John F. Kelly;

A bill (H. R. 3088) for the relief of Evan M. Woodward;

A bill (H. R. 8114) granting a pension to Annie E. Bell and Florence M. Bell;

A bill (H. R. 9898) granting a pension to Edward J. Trussler;

A bill (H. R. 4898) granting a pension to Frank A. W. Shaw;

A bill (H. R. 4571) for the relief of Helen W. Mauck; and

A bill (H. R. 3526) granting a pension to James M. Ellert.

The message also announced that the Senate had passed with amendments bills of the following titles; in which the concurrence of the House was requested:

H. R. 4749. An act for the establishment, control, operation, and maintenance of the Northwestern Branch of the National Home for Disabled Volunteer Soldiers at Cœur d'Alene, in the State of Idaho;

H. R. 9481. An act granting an increase of pension to James Anderson;

H. R. 9098. An act granting an increase of pension to Joseph L. Thomas;

H. R. 8670. An act granting an increase of pension to Stephen J. Watts;

H. R. 5673. An act granting an increase of pension to Ellen A. Spalding;

H. R. 2694. An act granting a pension to Maggie D. Chapman; and

H. R. 156. An act granting a pension to Lena E. Patterson.

The message also announced that the Senate had passed bills of the following titles; in which the concurrence of the House was requested:

S. 3288. An act for the relief of Daniel Coonan;

S. 4587. An act granting an increase of pension to Cora Van D. Chenoweth; and

S. 3063. An act for the relief of Charles Hurle.

The message also announced that the Senate had still further insisted upon its amendments to the bill (H. R. 10450) making appropriations for the naval service for the fiscal year ending June 30, 1901, and for other purposes, numbered 50, 51, 52, and 53, disagreed to by the House of Representatives, and had still further disagreed to the amendment of the House to the amendment of the Senate numbered 9, and had agreed to the further conference asked by the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. HALE, Mr. PERKINS, and Mr. BUTLER as the conferees on the part of the Senate.

REPAIRS OF ROADS AND BRIDGES IN DISTRICT.

Mr. LENTZ. I want to say that the country is in greater concern to know what the testimony was at the trial before the Committee on Military Affairs in the Cœur d'Alene matter.

Mr. RICHARDSON. I think not. I do not think that this bill appropriating this amount has anything to do with the Cœur d'Alene matter.

Mr. LENTZ. The Republicans who have interfered with the printing of this testimony know that all that is necessary is to pass a white sheet of paper over the cylinders and have the testimony printed in full. We have spent about fifteen to twenty thousand dollars to bring witnesses here, and we were in the Military Committee room from the 19th of February until the 10th of May. The testimony is in type, and the two bills can go together or not at all.

The SPEAKER. The gentleman from Ohio [Mr. LENTZ] objects.

PERSONAL PRIVILEGE.

Mr. GROSVENOR. Mr. Speaker, I rise to a question of personal privilege. I send to the Clerk's desk and ask to have read the headlines in the second column on the second page of the New York Sun of this morning.

The Clerk read as follows:

In the House—Several exciting colloquies—SULZER and GROSVENOR in affectionate embrace.

[Great laughter.]

Mr. WILLIAMS of Mississippi. Mr. Speaker, how does this come before the House?

The SPEAKER. As a matter of personal privilege.

Mr. TERRY. I would like to inquire, Mr. Speaker, whose privilege it is? [Laughter.]

Mr. LENTZ. I hope my colleague will be given an opportunity to apologize.

Mr. GROSVENOR. There are some trials and burdens that every public man is compelled to bear. There are others that it is the duty of every public man to submit to, but there are some indignities that no public man is compelled to submit to [laughter], and this is one of them. [Renewed laughter.]

Now I ask the Clerk to turn over to the next column, about the middle, and read a single paragraph, which is my vindication upon this subject.

The SPEAKER. It is the duty of the Chair to state that this is proceeding by unanimous consent of the House.

Mr. LENTZ. Then, Mr. Speaker, until the Cœur d'Alene testimony is printed [great laughter], I object.

Now will the gentleman from Ohio consent that the testimony in the Cœur d'Alene case may be printed?

Mr. GROSVENOR. Mr. Speaker, I believe I have the floor.

Mr. WILLIAMS of Mississippi. I want to say, Mr. Speaker, that Mr. SULZER wants to deny this whole thing. [Laughter.]

Mr. KLUTTZ. He is as much ashamed of it as is the gentleman from Ohio. [Laughter.]

The SPEAKER. The gentleman from Ohio [Mr. LENTZ] expressed the hope that his colleague would have an opportunity to apologize, and now he makes objection. The Chair hardly knows what course to take.

Mr. LENTZ. I did not understand until the Chair announced that this was a matter of unanimous consent, and now that it requires unanimous consent, I want the mouthpiece of the Administration to give me the right to print the Cœur d'Alene testimony.

Mr. LACEY rose.

The SPEAKER. For what purpose does the gentleman from Iowa rise?

Mr. LACEY. I want to call attention to the fact that the Democratic convention in Idaho settled the question by resolving in favor of the Democratic governor.

Mr. LENTZ. I do not believe it. The Democratic convention in Shoshone County, the Cœur d'Alene district, repudiated Governor Steunenberg by a large majority. That is the last definite information I have on that subject.

Mr. GROSVENOR. I make the point of order that I had the floor—

Mr. LENTZ. I object.

Mr. GROSVENOR (continuing). On a matter of personal privilege; and I only want a square of newspaper space read. The gentleman from Ohio can not take me off the floor.

Mr. LENTZ. I only want the Cœur d'Alene testimony printed. I object.

The SPEAKER. The Chair must state that it has not yet been decided that this is a matter of personal privilege, unless the article which the gentleman asked to have read should make it such a question. Up to this point the Chair does not recognize any question of privilege.

Mr. GROSVENOR. But I have not concluded the reading. If I can get the Clerk to find the place and read what I want read, everybody will see at once that it is a question of personal privilege.

The SPEAKER. The Clerk will read the additional statement.

The Clerk read as follows:

Mr. SHAFROTH [Silverite, Colorado] secured the floor and was discussing the merits of the proposition, when Mr. CANNON met Mr. SULZER [Democrat, New York] in the center aisle directly in front of Mr. SHAFROTH. Placing his left arm about Mr. SULZER's neck he drew his head down while he whispered in his ear. The picture attracted attention and the House burst into applause. Messrs. CANNON and SULZER, thinking the applause was for Mr. SHAFROTH, maintained their affectionate embrace. The laughter and applause grew until the House was in an uproar, while the Speaker vainly pounded for order. It was only when they concluded their conversation that Messrs. SULZER and CANNON discovered, to their manifest confusion, that they were the center of attraction, and they separated hastily.

[Laughter and applause.]

Mr. GROSVENOR. That is all; that is all there is of it. [Laughter.]

The SPEAKER. This is not a matter of personal privilege. The gentleman from Michigan [Mr. CORLISS] is recognized.

Mr. SULZER. Mr. Speaker—

The SPEAKER. The Chair thinks that the gentleman from

New York [Mr. SULZER], if there be no objection, ought to be permitted to say a word. [Applause.]

Mr. SULZER. Mr. Speaker, I know that the country will accept the apology of the gentleman from Ohio. For myself I am glad that it was the distinguished gentleman from Illinois [Mr. CANNON] who embraced me, and not the gentleman from Ohio. [Laughter and applause.]

Mr. LENTZ. I will not object to hearing the gentleman from Illinois.

AUTOMATIC COUPLERS ON RAILROADS.

Mr. CORLISS. Mr. Speaker, the bill which I desire to bring to the attention of the House is one which was under consideration for some time yesterday afternoon. The gentleman from Georgia [Mr. BARTLETT], who then objected, has since thoroughly examined the bill and desires to withdraw his objection.

The SPEAKER. The bill having been once read to the House, it will not be again read unless the reading be demanded. The title will be read, so that the House may understand what is before it.

The Clerk read as follows:

A bill (H. R. 10302) to amend an act to promote the safety of employees, and so forth, by requiring common carriers engaged in interstate commerce to equip their cars with automatic couplers and continuous brakes, and so forth, approved March 2, 1893.

Mr. BALL. I reserve the right to object.

The SPEAKER. This is the bill which was up yesterday on a request for unanimous consent. The bill was then read, and the gentleman from Georgia objected.

Mr. CORLISS. I yield to the gentleman from Georgia a few minutes.

Mr. BALL. I reserve the right to object.

The SPEAKER. That right is reserved to all members.

Mr. BARTLETT. Rising for the purpose of withdrawing the objection I made yesterday, I desire to say this: The bill was read during a great deal of confusion in the House. I endeavored to catch the provisions of the bill as it was read, and I tried also to get a copy of the bill.

Mr. Speaker, we understand it to be already the law, under an act of Congress passed some years ago, that railroad companies engaged in interstate commerce shall equip their cars with ordinary couplers. We also know that at the instance of the railroad companies that provision of law relating to interstate commerce—

The SPEAKER. Does the gentleman withdraw his objection?

Mr. BALL. I want to ask a question.

The SPEAKER. The bill is not yet open for debate.

Mr. BARTLETT. I make no objection. I withdraw my objection.

Mr. BALL. I want to ask a question: Whether the provision of the bill has been changed so that these reports shall be required to be made under oath?

Mr. CORLISS. I stated yesterday on the floor, in answer to the gentleman's inquiry, that we would not object to an amendment striking out the words "under oath."

Mr. BALL. Unless the committee will recede from the amendment which they have proposed, which exempts these companies from the requirement to make their statements under oath, I shall be compelled to object.

Mr. CORLISS. I can not make any waiver on the part of the committee; but if the bill should be taken up, I am perfectly willing that a proposition shall be submitted to the House to strike out the words "under oath."

The SPEAKER. Is there objection?

Mr. BALL. With that understanding, I do not object.

Mr. RIDGELY. We want it understood that the words "under oath" are to be in the bill.

Mr. CORLISS. It is understood that they shall be put in after unanimous consent is granted.

Mr. BALL. I want this matter perfectly understood. Is it agreed that the House will have the privilege of voting upon that provision?

Mr. CORLISS. I have already stated that as soon as unanimous consent is granted an amendment would be offered and the question of striking out or leaving in the bill the words "under oath" would be submitted to the House.

The SPEAKER. The Chair will state that if unanimous consent be given the bill will be before the House for consideration.

There was no objection.

Mr. SHATTUC. I want to ask how there can be any such thing as an interstate accident on a railroad?

Mr. CORLISS. This bill applies to transportation lines engaged in interstate commerce.

Mr. SHATTUC. I know it does; but how are you going to have an interstate accident—an accident that comes within the control of interstate law?

Mr. GROSVENOR. One end of a bridge might be in Indiana and the other end in Ohio, for instance.

Mr. SHATTUC. I hope the gentlemen from Michigan will look that matter up and see whether such a thing is possible as an interstate accident.

Mr. BARTLETT. Will the gentleman from Michigan yield to me for a moment in order to complete the statement which I had already begun?

Mr. CORLISS. Why, Mr. Speaker, everybody wants to take up other matters of importance. This bill has been fully discussed.

Mr. BARTLETT. I only want to complete a statement that I was making when the Chair took me off the floor or ruled me out of order.

Mr. CORLISS. How much time does the gentleman want?

Mr. BARTLETT. Only two minutes.

Mr. CORLISS. I will yield to the gentleman that time, and then I will ask the previous question.

Mr. BARTLETT. I desire to say, Mr. Speaker, continuing the remarks that I started to make a few moments ago, that my understanding is that the law already provides for requiring the railroad companies engaged in interstate commerce to equip their cars with automatic brakes and couplers for the protection not only of their own employees but for the protection of the traveling public as well. But year after year it has been postponed, and no longer than last August or July the Interstate Commerce Commission, at the instance of the railroads themselves, granted a further extension of time until December. I do not know whether the railroad companies have as yet complied with the law or not.

Now, I do not object to the bill under consideration, except that provision of it to which I intended to call the attention of the House on yesterday, which does not permit the reports made under oath to be used as evidence. But I understand that there is to be an opportunity to vote on the committee amendments relating to this language, and therefore I do not object to the consideration of the bill. It is a proposition which is intended to protect the employees and the traveling public from injury, and I am willing to submit to what I think is an error and let the bill be passed, and permit ourselves hereafter, or others who follow us here and in the Senate, to make the necessary correction.

That is all I desire to say.

Mr. CORLISS. Mr. Speaker, I now ask the previous question on the bill and the amendments recommended by the committee.

The SPEAKER. The Chair is not exactly informed as to the purpose of the gentleman. The Chair understands it to be agreed that there shall be a separate vote on two amendments. Is the Chair correct?

Mr. CORLISS. That is correct, Mr. Speaker. It was agreed that there should be a separate vote on the two committee amendments to strike out, in lines 9 and 11, the words "under oath."

Mr. WILLIAMS of Mississippi. Do I understand that the gentleman from Michigan asks the previous question with the understanding that these amendments may be voted upon separately?

Mr. CORLISS. That is correct.

The SPEAKER. The Chair needed to be advised as to the scope of the understanding, and for that reason asked the gentleman from Michigan.

Mr. HEPBURN. These, Mr. Speaker, are committee amendments. The amendments propose to strike out the words "under oath," in line 9, and also where it appears afterwards in the reprint of the bill, in line 16. Now, by taking a separate vote on these two amendments and a vote on the other amendments in gross there will be no difficulty about the settlement of the matter at all. The other amendments can be adopted as a whole, and the vote will then recur upon the two amendments to which I have already referred.

Mr. PAYNE. The words "under oath" are already in the section of the bill, but the committee moves to strike them out.

Mr. GAINES. Is there an understanding that we are to have a separate vote upon them?

The SPEAKER. The gentleman from Michigan demands the previous question.

The previous question was ordered.

Mr. CORLISS. Now I move the adoption of the committee amendments, except the two, one in line 9 and the other in line 11, or in line 16 of the reprinted bill, where the committee recommends that the words "under oath" be stricken out.

The SPEAKER. The gentleman asks consideration of all the other amendments excepting those to which he has referred, and the vote will be taken upon them first.

The amendments were agreed to.

The SPEAKER. The Clerk will now report the amendments on which a separate vote has been demanded.

The Clerk read as follows:

In line 9, after the word "report," strike out the words "under oath."

In line 16, after the word "report," strike out the words "under oath."

The SPEAKER. These two amendments can be considered together.

Mr. BARTLETT. There is another amendment, I think, in line 11.

Mr. CORLISS. No; in the reprint of the bill that line was changed and comes in as line 16. These are the only two places in the bill where these words appear.

The SPEAKER. The Chair will state to the gentleman from Georgia that there are different prints of the bill where the numbering of the lines differ.

Mr. CORLISS. The question is, Shall the amendments recommended by the committee be adopted—that is, to strike out these words.

The SPEAKER. The question is on the adoption of these two committee amendments.

Mr. WILLIAMS of Mississippi. As I understand it, the committee amend the bill by striking out the words "under oath." Then, those of us who want to retain the words must vote the committee amendments down.

The SPEAKER. That is correct. The Chair asks the gentleman from Michigan for the purpose of making the explanation to the House.

The question was taken; and the committee amendments in lines 9 and 16 were rejected.

The bill as amended was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

On motion of Mr. CORLISS, a motion to reconsider the last vote was laid on the table.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. GILFREY, one of its clerks, announced that the Senate had still further insisted upon its amendments to the bill (H. R. 10450) making appropriations for the naval service for the fiscal year ending June 30, 1901, and for other purposes, numbered 50, 51, 52, and 53, disagreed to by the House of Representatives, and had still further disagreed to the amendment of the House to the Senate amendment number 9.

TRAVELING ALLOWANCES TO SOLDIERS.

Mr. BELL. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (S. 3616) to authorize the payment of traveling allowances to enlisted men of the regular and volunteer forces when discharged by order of the Secretary of War and stated by him as entitled to travel pay.

The bill was read, as follows:

Be it enacted, etc., That when the Secretary of War, in the exercise of his discretion, has directed the discharge of any enlisted men of the regular or volunteer forces of the Army, and the orders or instructions directing such discharge state that such enlisted men were entitled to travel pay, such order or instruction shall be sufficient authority for the payment to the soldiers of the traveling allowances provided for by section 120 of the Revised Statutes. And officers of the Pay Department of the Army shall have credit in the settlement of their accounts for all payments made in obedience to said orders or instructions of the Secretary of War: Provided, That soldiers discharged under such orders or instructions, which stated that such soldiers were entitled to travel pay, and who were absent by authority on the date of the muster out of their regiments or of discharge, are entitled to and will be paid traveling allowances from place of muster out of their regiments or the places designated in the final statements as the place of discharge to the place of enlistment or enrollment: Provided further, That the provisions of this act shall apply only to cases that have arisen or shall arise under orders or instructions for discharge with travel pay issued between April 21, 1898, and the date of the passage of this act: Provided further, That it shall not be held as applying to any case in which the order directing the discharge did not set forth that the soldier was entitled to travel pay.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. LENTZ. I reserve the right to object. I want to ask the gentleman a question. Did any of these men assist in imprisoning Grand Army men in the bull pen in the Coeur d'Alene district?

Mr. BELL. No, sir; they were not present.

Mr. LENTZ. Then I will not object.

The SPEAKER. Is there objection?

There was no objection.

The bill was ordered to a third reading; and it was accordingly read the third time, and passed.

On motion of Mr. BELL, a motion to reconsider the last vote was laid on the table.

DONATION OF CONDEMNED CANNON.

Mr. OVERSTREET. Mr. Speaker, I ask unanimous consent for the present consideration of House joint resolution 201, donating a condemned cannon to the Commandery in Chief of the Sons of Veterans, United States of America.

The joint resolution was read, as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Navy is hereby authorized and directed to deliver to the order of Fred E. Bolton, quarter-master-general of the Sons of Veterans, United States of America, one dismounted condemned cannon captured or surrendered by Spain during the Spanish-American war: Provided, That the Government shall be at no expense in connection with the delivering of said cannon.

The SPEAKER. Is there objection?

Mr. LENTZ. Mr. Speaker, will the gentleman from Indiana permit an amendment to be added to that to print the Coeur d'Alene testimony?

Mr. OVERSTREET. I will state that this resolution was introduced at the request of the organization known as the Sons of Veterans, and only permits the Secretary of the Navy to deliver to them a condemned cannon. It is not susceptible of any other amendment.

Mr. LENTZ. It seems to me that—

Mr. OVERSTREET. I think the gentleman ought certainly to withhold an objection to a measure which goes to the benefit of the sons of veterans of this country.

Mr. LENTZ. It seems to me the sons of veterans would want to read how their fathers—members of the Grand Army of the Republic—were imprisoned in the bull pen at Coeur d'Alene.

Mr. OVERSTREET. I will not consent to that kind of an amendment, simply because it is not germane.

Mr. LENTZ. Well, I will let you have your old cannon anyhow, but we should like to have that testimony, too. I will not object:

The SPEAKER. Does the gentleman object?

Mr. LENTZ. I do not object.

The bill was ordered to a third reading.

Mr. OVERSTREET. Mr. Speaker, there are some committee amendments which should be agreed to.

The SPEAKER. They are set forth in the committee report, but not in the printed bill. Without objection, the action ordering the bill to a third reading will be reconsidered.

There was no objection.

Mr. HEPBURN. What are the amendments?

Mr. OVERSTREET. They merely provide that this may be done in the discretion of the Secretary of the Navy instead of directing him to do it.

The committee amendments were read, as follows:

In line 3, after the word "Navy," insert the words "in his discretion." In lines 3 and 4 strike out the words "and directed."

The amendments were agreed to.

The joint resolution as amended was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

On motion of **Mr. OVERSTREET**, a motion to reconsider the last vote was laid on the table.

ORDER OF BUSINESS.

Mr. CAPRON rose.

Mr. RIDGELY. Mr. Speaker—

The SPEAKER. For what purpose does the gentleman from Kansas rise?

Mr. RIDGELY. I wish to ask for unanimous consent to take up House bill 8917, which is on the Calendar. It relates to injunctions and conspiracy cases in cases of labor troubles, and if passed as introduced will prevent imprisonment of members of labor organizations as now unjustly practiced.

The SPEAKER. The Chair had promised to recognize the gentleman from Rhode Island [Mr. CAPRON], who was on his feet.

LORILLARD SPENCER.

Mr. CAPRON. I ask unanimous consent for the present consideration of the bill (S. 3079) granting a deed of quitclaim and release to Lorillard Spencer, his heirs and assigns, of all the right, title, and interest in and to certain land in the city of Newport, R. I.

The bill was read.

The SPEAKER. Is there objection?

Mr. LENTZ. Mr. Speaker, it will do the people of Rhode Island more good to read the Coeur d'Alene testimony than to have that deed, and I shall object until we can have the testimony printed so we can read it. The gentleman is on the Military Committee, and ought to help me to get that testimony printed.

The SPEAKER. Objection is made.

Mr. FINLEY. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 11785) to provide for the construction of a bridge by the Fargo, Duluth and Northwestern Railroad Company across the Red River of the North at Fargo, N. Dak.

The bill was read.

The SPEAKER. Is there objection?

Mr. LENTZ. Mr. Speaker, until the Republicans bridge over their objection to the printing of the Coeur d'Alene testimony I object to the building of that bridge.

The SPEAKER. Objection is made.

DES MOINES, IOWA.

Mr. HAY. Mr. Speaker, I ask unanimous consent for the present consideration of the bill which I send to the Clerk's desk.

The Clerk read as follows:

A bill (H. R. 428) to amend the law establishing a port of delivery at Des Moines, Iowa.

Be it enacted, etc., That section 2 of an act approved April 7, 1892, be, and is hereby, amended so as to read as follows:

"**SEC. 2.** That there shall be appointed a surveyor of customs, to reside at said port."

The amendments recommended by the committee were read, as follows:

In line 3, after the word "act," insert "entitled 'An act establishing a port of delivery at Des Moines, Iowa;'" and in line 4, after the word "amended," insert "by striking out after the word 'port' the words 'whose salary shall be the usual fees and commissions.'"

Mr. HAY. Mr. Speaker, I trust the gentleman from Ohio will not object to the consideration of that bill, which I ask to be considered—

Mr. LENTZ. Until he have the chairman of the Committee on Military Affairs—

Mr. HAY. Will the gentleman permit me for a moment to state the reasons—

Mr. LENTZ. I do not care anything about what the reasons are; unless we can have the Coeur d'Alene testimony printed, I object. It is not your bill.

Mr. HAY. I have offered the bill.

Mr. LENTZ. Did you introduce the bill in the House?

Mr. HAY. Will the gentleman withdraw his objection until I can say why I ask this?

Mr. LENTZ. I will retain the right of objection until you make a statement.

Mr. HAY. I simply want to say that it seems a very curious thing that the gentleman from Ohio should continue to object to all bills when every legitimate effort has been used by his friends to have—

Mr. LENTZ. I object. I am not here to receive a lecture.

Mr. HAY. But will the gentleman from Ohio allow me to state—

Mr. LENTZ. If you have not got any statement to make in explanation of the bill—

Mr. HAY. There can be no objection to the bill—

Mr. LENTZ. I object until we get the Coeur d'Alene testimony printed.

The SPEAKER. Objection is made.

HOUSE BILLS WITH SENATE AMENDMENTS.

The SPEAKER laid before the House the following House bills with Senate amendments, which were severally read, the Senate amendments considered and concurred in on motion of Mr. SULLOWAY:

A bill (H. R. 856) for the relief of Mary McCarthy, mother of John E. McCarthy, Sixth Company, First Battalion, New York Sharpshooters;

A bill (H. R. 2094) granting a pension to Maggie D. Chapman n A bill (H. R. 5673) to increase the pension of Ellen Spalding; A bill (H. R. 8670) to increase the pension of Stephen J. Watts; A bill (H. R. 9093) granting an increase of pension to Joseph L. Thomas;

A bill (H. R. 9481) granting an increase of pension to James Anderson; and

A bill (H. R. 9749) granting a pension to Melissa A. Trulock.

Mr. UNDERWOOD. Mr. Speaker, I ask unanimous consent for the present consideration of the bill which I send to the Clerk's desk.

NAVAL APPROPRIATION BILL.

Mr. CANNON. Mr. Speaker, I rise to a privileged report. The Clerk read as follows:

The conferees on the disagreeing votes of the two Houses on the amendments of the Senate numbered 9, 50, 51, 52, and 53 to the bill (H. R. 10450) making appropriations for the naval service for the fiscal year ending June 30, 1901, and for other purposes, having met, after full and free conference have been unable to agree,

JOSEPH G. CANNON,
WM. H. MOODY,
J. F. SHAFROTH,
Managers on the part of the House.

EUGENE HALE,
GEORGE C. PERKINS,
B. R. TILLMAN,
Managers on the part of the Senate.

Mr. CANNON. Mr. Speaker, I move that the House further insist on its disagreement to amendments 50, 51, 52, and 53.

Mr. CUMMINGS. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman from Illinois moves that the House further insist on its disagreement to the amendments numbered 50, 51, 52, and 53. The gentleman from New York is recognized.

Mr. CUMMINGS. Would it be in order now, as a substitute, to move that the House refuse to agree to the report and to agree to the report which was submitted by the conferees of last evening?

The SPEAKER. That motion would not be in order.

Mr. CUMMINGS. Then, Mr. Speaker, I want three minutes.

Mr. DAYTON. A parliamentary inquiry.

Mr. CANNON. I think the gentleman can say all that he wants to say on the next motion. This is a vote on amendments numbered 50, 51, 52, and 53.

Mr. CUMMINGS. All right.

Mr. DAYTON. A parliamentary inquiry, Mr. Speaker.

THE SPEAKER. The gentleman will state his parliamentary inquiry.

MR. DAYTON. Will it be proper to move that the House recede and concur in the Senate amendment numbered 9?

MR. CANNON. There is no motion about that yet.

MR. DAYTON. Would it be proper for me to move to recede and concur in amendment numbered 9, with the amendment which I send to the desk, and which embodies the proposition that was brought in here last night by the conferees that formerly had charge of this bill?

THE SPEAKER. That matter has not yet come before the House. The motion of the gentleman from Illinois does not touch No. 9, and the Chair would not wish to answer a parliamentary inquiry that had no relation to the motion of the gentleman.

The question was taken; and the motion to insist was agreed to.

MR. CANNON. Mr. Speaker, I make the following motion:

The Clerk read as follows:

That the House recede with an amendment to amendment 9 and agree to the amendment as follows: In lieu of the matter inserted insert the following: "Ocean survey: For ocean survey, including the waters of Cuba and the Philippine Archipelago, but not the coast thereof, and for the purchase of nautical books and sailing charts, freight and express charges on the same, \$50,000."

MR. DAYTON. Now, Mr. Speaker, I want to say a word.

THE SPEAKER. The gentleman from Illinois [Mr. CANNON] has the floor.

MR. DAYTON. Will the gentleman from Illinois yield to me?

MR. CANNON. I think I had better first take the floor myself and then I will yield to both the gentleman from West Virginia [Mr. DAYTON] and the gentleman from New York [Mr. CUMMINGS].

The conference report rejected by the House was rejected on account of the following provision in it. I will read it:

Ocean survey—

I read what was rejected in substance—

For hydrographic surveys and the purchase of books, etc., \$50,000.

It was discussed on that occasion, and it was plain that hydrographic surveys meant all the navigable waters of the earth. Gentlemen will recollect about it. Now, your conferees have met the Senate conferees and tried to adjust the matters of difference between the two bodies, accepting it as a duty and not from choice, to do the best we could under instructions from the House. In the settlement of this matter your conferees found the following instruction, in substance, by the House: "That the managers on the part of the House at the conference shall agree to no settlement of said disagreement"—that is, the amendment in question—"which shall involve the survey of any of the ocean and lake coasts of the United States, or of the coasts under the jurisdiction of the United States." That is the last part of it.

Further, as to the first part of it—

The managers on the part of the House at the conference of the disagreeing votes of the two Houses on the naval appropriation bill are hereby instructed to insist on the disagreement of the House to amendment No. 9—

Mark the language, for this is the material part—

and to agree to no settlement of said disagreement which shall involve the survey of any of the ocean and lake coasts of the United States, or of the coasts under the jurisdiction of the United States.

That instruction was made a week or ten days ago, and it is still existing.

The conference provision I have just read includes hydrographic surveys without qualification. The report was rejected on that account.

Now, the House conferees, with that instruction in force, have not felt at liberty to agree with the Senate upon a modification in any event, to say nothing about the substance, without bringing it to the attention of the House and taking the will of the House.

Therefore with this disagreement I offer, with the concurrence of the other conferees, this amendment for the consideration of the House. It will so far vary this instruction, if adopted by the House, in further conference with the Senate, and agree in substance as follows:

For ocean survey, including the waters of Cuba and the Philippine Archipelago, but not the coasts thereof.

The word "hydrographic" is stricken out of the amendment, and it is stricken out, so far as the Senate amendment is concerned, by this amendment which I now, by the request of my brother conferees, move to adopt.

MR. WILLIAMS of Mississippi. Is there anything in the proposition you now bring to the House to prohibit them from surveying the coasts of the United States?

MR. CANNON. There is nothing in this appropriation for that purpose. The law prohibits them from doing that.

MR. WILLIAMS of Mississippi. I understand your amendment to be for ocean surveys, including the waters of Cuba and Porto Rico?

MR. CANNON. No; the Philippines.

MR. WILLIAMS of Mississippi. Why not say any of the coasts of the United States?

MR. CANNON. Because they could only survey the Philip-

pine and Cuban waters by force of this provision. There is no provision that authorizes their surveying in waters of the United States.

MR. WILLIAMS of Mississippi. I beg the gentleman's pardon. If it said "ocean surveys of," he would be right. But he makes a general description.

MR. GROUT. How near the land is included in ocean survey?

MR. CANNON. All deep-sea survey, not the coast. Ocean surveys have always been made by the Navy. If this amendment should be adopted, it would lead to a settlement. I will say to the gentleman that I am satisfied it would, inside of sixty minutes. That is my judgment about it. It would authorize the Navy to survey Cuban and Philippine waters, but not the coasts of the Philippines or Cuba.

MR. GROUT. How far from the coast?

MR. CANNON. Within 20 marine leagues.

MR. DE ARMOND. Would it not authorize the survey along the coast?

MR. CANNON. It would not within 20 marine leagues. That is the law and has been for sixty years.

MR. DE ARMOND. Would this not change the law?

MR. CANNON. No.

MR. DE ARMOND. It seems to me that it would.

MR. WILLIAMS of Mississippi. If you leave out the word "included" and put in "of," I think it will be all right.

MR. CANNON. This is for ocean service. The Revised Statutes authorizing the Coast Survey of the United States gives it jurisdiction to survey the coast and 20 marine leagues at sea.

MR. GROUT. Up to within 20 leagues.

MR. CANNON. But the language is "but not the coasts thereof."

MR. GROUT. How near may they survey the ocean waters?

MR. CANNON. Up to the land.

MR. GROUT. Then that is not the survey of the coast.

MR. CANNON. They must have the triangulations.

MR. DE ARMOND. Do you aim by this provision to give authority to make surveys anywhere else than in the Cuban and Philippine waters?

MR. CANNON. Other than the authority they now have?

MR. DE ARMOND. I mean do you extend the existing authority?

MR. CANNON. No, sir.

MR. DE ARMOND. Then why not change the legislation, as suggested by the gentleman from Mississippi, and instead of saying "including the Cuban and Philippine waters" insert the word "all?"

MR. CANNON. The truth is that under the war power to-day, the Navy in the Philippines has power to do surveying. This provision will enable them to continue the survey within the Philippine waters.

MR. DE ARMOND. As I understand, the amendment extends the authority further than the Cuban and Philippine waters—

MR. CANNON. No, sir; it does not.

MR. DE ARMOND. I think it does, because it expressly "includes" those; and there must be something with which it includes them.

MR. CANNON. I ask my friend's attention again to this consideration; for many years—I was going to say more years than I am old or my friend is old—the Navy has had appropriations for ocean surveys. The Coast Survey has always surveyed the coasts of the United States and 20 leagues at sea. Now, the language here is—

For ocean surveys—

Which they have always had—

including—

Now, this is something additional to ocean surveys—

including the waters of Cuba and the Philippine Archipelago, but not the coasts thereof.

This is in addition to ocean surveys.

MR. WILLIAMS of Mississippi. Will the gentleman permit me a moment, because he and I are agreed absolutely as to what we want to get at. The only difference is that I think the gentleman from Illinois has not gotten at what we want. Now, when the gentleman from Illinois draws up an amendment which says that certain officers or a certain Department shall make ocean surveys, including certain things, and then makes the exception or limitation that they shall not survey the coasts of Cuba, Porto Rico, or the Philippines, that is a limitation upon the power.

Now, if that be a limitation upon the power, and if the general doctrine applies that the expression of one thing is the exclusion of any other, then that is the only limitation on the power. If the gentleman had gone further, and, after saying that they should not survey the coast of Cuba, Porto Rico, and the Philippines, had added "or any other coast which is a part of or under the jurisdiction of the United States," then he would have accomplished his purpose. But when he undertakes to make a limitation, and makes that limitation only partial, then the general

doctrine applies, and those officers are limited only so far as the express limitation goes.

Mr. GROUT. By the resolution they are only given the right to conduct ocean surveys.

Mr. WILLIAMS of Mississippi. I beg the gentleman's pardon. By the general resolution they are given a general power with regard to ocean surveys. So far the gentleman is right. And then, for fear that the power might be construed into a power to make coast surveys, they are limited not to survey the coasts of Cuba, Porto Rico, and the Philippines. Now, if there is any danger that the general power to make ocean surveys might be construed to be a coast-survey power, then we want to go still farther and deny them a right to survey coasts anywhere. But when we stop at a denial of a power to survey the coasts of those three localities we grant a converso a power to survey other coasts.

Mr. GROUT. I suppose that the clause prohibiting the survey of the coasts of those possessions has been inserted because their status is not yet definitely ascertained. Some say that they belong to the United States, and that the Constitution goes there by its own force, while others say the contrary. It is for that reason, I presume, that the exception is made.

Mr. WILLIAMS of Mississippi. If there be added the words "nor to survey the coasts anywhere within the United States or subject to the jurisdiction of the United States," there would not be any doubt.

Mr. GROUT. There is not now.

Mr. BALL. I think the gentleman from Mississippi and other gentlemen are under a misapprehension; and I will ask the gentleman from Illinois [Mr. CANNON] this question: As the law now is, these officers would be authorized, without the latter expression, to spend \$50,000 20 leagues from the coast; that would be ocean surveys under the present law, would it not? Now, under the present law, they can not survey the waters of the Philippine Islands or Cuba. In other words, they can not go up to the coast; they would have to stop 20 leagues away from the coast.

The object of this provision, as I understand, is to allow the Navy in Cuba, where we have no jurisdiction, and in the Philippines to survey the shoaly waters right up to the coast, to prohibit them from surveying farther. Is not that the limitation under the present law? I so understand, and I ask the chairman of the committee of conference whether that is not true; whether an appropriation of \$50,000 for ocean surveys would not mean for surveys 20 leagues at sea?

Mr. CANNON. Yes, sir; that is just what it means.

Mr. BALL. Then the ocean survey could not go within 20 leagues of either Cuba or the Philippine Islands. But the object of this provision is to enable the Navy, in these foreign waters, I will call them—to enable the Navy to survey and map out any menaces to navigation up to the coast line.

Mr. CANNON. That is it exactly. The gentleman has stated clearly what the conferees have been attempting to accomplish.

Mr. DAYTON. Permit me to say that the hydrographic surveys never undertook a survey of the coast. It is the mere subterfuge to use that language here—

Mr. BALL. I do not agree with the gentleman from West Virginia. The definition of the word hydrography, as given by Webster and others, shows conclusively that he is mistaken.

Mr. CANNON. The gentleman from Texas is entirely correct in his statement and in his criticism; and I wish to say, Mr. Speaker, in these the closing hours of this session of Congress that in my judgment in a very short time an agreement can be made between the two Houses by the adoption of this amendment.

Now, I should be glad if the House would adopt the amendment promptly. It will be seen that the word "hydrographic" is stricken out, and that was the objectionable feature in the amendment which was contested last evening. Gentlemen, if they will examine the bill carefully and fully in connection with this amendment, I am sure will be satisfied that the very best has been offered to meet existing conditions, and will agree with me in the view taken by the gentleman from Texas, who has so well and forcibly expressed precisely what the amendment seeks to accomplish.

Mr. DE ARMOND. Will the gentleman permit me an interruption for a moment?

Mr. CANNON. Certainly.

Mr. DE ARMOND. I wish to call the attention of the gentleman to the last words of the amendment, "coasts thereof." Does not that refer distinctly to Cuba and the Philippine Islands?

Mr. CANNON. Yes.

Mr. DE ARMOND. Now, where is the exception about the coast of the United States?

Mr. CANNON. Why, the general law makes provision for that.

Mr. DE ARMOND. But I understood the gentleman to say that the object was to permit these surveys in the shallow waters of Cuba and the Philippine Islands.

Mr. CANNON. That is correct.

Mr. DE ARMOND. Now, what is the meaning of the exception which the words imply "or the coasts thereof?"

Mr. CANNON. I will say to my friend from Missouri that the Revised Statutes, organizing the Coast Survey, define what the duties of that Survey shall be and say it shall survey the coast of the United States to the extent of 20 leagues out into the sea.

Now we are confronted with a different proposition in reference to Cuba. Gentlemen I am sure will agree that Cuba is not a part of the United States. Some perhaps do think so. I do not say they do. Others are under the impression that the Philippine Islands are not part of the United States. Others think that they are, but ought not to be; others say they are and ought to be. There is a manifest difference of opinion on that question.

But it is desirable, as the Senate conferees claim, that as to Cuba and as to the Philippine Islands the Navy, for the coming year, should have an appropriation made available for the surveying in these waters. These are for ocean surveys. That is, as the gentleman from Texas has so well said, for the survey of the shallow waters of these islands. Now, that changes the law for the coming year without forbidding these deep-sea surveys to go on as usual; and as to Cuba and the Philippines it will go further.

Mr. DE ARMOND. I understand the purpose of the gentleman from Illinois, but I think the amendment does not accomplish it.

Mr. WILLIAMS of Mississippi. And by inference it does not except any other coast.

Mr. BALL. Will the gentleman permit me to make a suggestion?

Mr. CANNON. Yes.

Mr. BALL. I think if the word "and" were used instead of the word "including," it would satisfy gentlemen here.

Mr. CANNON. Well, I think we can adjust that in conference.

Mr. BALL. The word "and" would show that it was cumulative to "ocean surveys."

Mr. DE ARMOND. The point I was trying to get at was this: At first I did not understand the meaning of the amendment. I understood you were excluding surveys along the coast, within the 20-mile limit, about Cuba and the Philippines, and I think that amendment does that, and I think, as the gentleman from Mississippi [Mr. WILLIAMS] suggested, that kind of an exception to the Philippines and no other exception would probably repeal the law. Now, if you mean to have the Navy survey in these shallow waters—that is, inside of the 20-mile limit—it seems to me that your language does not have that effect.

Mr. CANNON. I think it means the same thing; and if the gentleman prefers, I will strike out the word "including" and insert the word "and."

Mr. DE ARMOND. That would make the meaning clear.

Mr. CANNON. So that it will read:

In lieu of the matter inserted insert the following:

"Ocean surveys: For ocean surveys and surveys of the waters of Cuba and the Philippine Archipelago, but not the coasts thereof, and for the purchase of nautical books, charts, and sailing directions, and freight and express charges on the same, \$50,000."

And so forth.

I modify the amendment as suggested by the gentleman from Missouri.

The SPEAKER. The gentleman from Illinois modifies the amendment. The amendment as modified will be reported to the House.

The Clerk read as follows:

That the House recede from its disagreement to the amendment of the Senate numbered 9, and agree to said amendment numbered 9 amended as follows:

In lieu of the matter inserted insert the following:

"Ocean surveys: For ocean surveys and surveys of the waters of Cuba and the Philippine Archipelago, but not the coasts thereof, and for the purchase of nautical books, charts, and sailing directions, and freight and express charges on the same, \$50,000."

Mr. DAYTON. In view of that motion, I want to make a motion to recede and concur.

Mr. CANNON. I believe I have the floor.

Mr. HEPBURN. I should like to ask whether, under the general authority to make ocean surveys, there is any limitation anywhere on the earth's surface excepting that these surveys shall not be made within 20 marine leagues of the coast of the United States, as the law stands now?

Mr. CANNON. My understanding is not.

Mr. HEPBURN. Then they would be permitted, under the term "ocean surveys," to make surveys in the waters of Cuba and the Philippines.

Mr. CANNON. I think not.

Mr. HEPBURN. You think they would not?

Mr. CANNON. I think they would not.

Mr. HEPBURN. Where is the limitation, then, as to ocean surveys?

Mr. CANNON. The law organizing the Coast Survey Service sixty or seventy years ago expressly provides what it shall be not only by appropriation, but by law.

Mr. HEPBURN. If the gentleman will permit me, it was not that that I wanted to know, but I wanted to know where ocean surveys might be made properly.

Mr. CANNON. Outside of 20 marine leagues from the coast.
Mr. HEPBURN. But anywhere on the earth's surface outside?
Mr. CANNON. Yes.

Mr. HEPBURN. That would include, of course, the waters of the Philippines and Cuba, but not the coasts.

Mr. CANNON. In my judgment the Philippines are a part of the United States. Some people may take a contrary view.

Mr. HEPBURN. They are a part of the earth's surface, anyhow.

Mr. CANNON. Yes; they are on the earth.

Mr. HEPBURN. And under the provision for "ocean surveys" surveys might be made in those waters.

Mr. CANNON. Not at all; because if they are a part of the United States, then the provision of 20 marine leagues at sea obtains.

Mr. HEPBURN. Well, outside of that, undoubtedly they could make the survey, but under your resolution they are not permitted to make surveys of the coasts.

Mr. CANNON. This provision lets them go inside as to the Philippines.

Mr. HEPBURN. But not to the coast.

Mr. CANNON. Up to the coast.

Mr. HEPBURN. Up to the coast?

Mr. CANNON. Yes. Now I yield—

The SPEAKER. Before that is done the Chair will state that the question before the House is the resolution reported by the gentleman from Illinois [Mr. CANNON], to which the gentleman from West Virginia [Mr. DAYTON] offers a motion of higher privilege, namely, to recede and concur.

Mr. CANNON. I did not catch the statement of the Chair.

The SPEAKER. The Chair states that the motion of the gentleman from West Virginia takes precedence over the resolution offered by the gentleman from Illinois and will have to be first voted on.

Mr. DAYTON. Does that give me the right to the floor?

Mr. CANNON. Mr. Speaker—

The SPEAKER. It does not give the gentleman the right to the floor. The gentleman from Illinois controls the floor.

Mr. CANNON. My motion is to recede. That far it is the same as the gentleman; then I move an amendment.

The SPEAKER. The gentleman from Illinois moves to recede with an amendment, and the gentleman from West Virginia to concur.

Mr. CANNON. My motion is before the House and has been considered. We have disagreed, too.

Mr. DAYTON. I simply want to know if I could not get the floor.

The SPEAKER. The motion of the gentleman from West Virginia will first be voted upon. To whom does the gentleman from Illinois yield?

Mr. CANNON. I yield to the gentleman from Massachusetts.

Mr. DAYTON. A parliamentary inquiry. I understand the gentleman is holding his hour, and it is that he is yielding to the gentleman from Massachusetts. Am I right in that?

The SPEAKER. Absolutely.

Mr. MOODY of Massachusetts. Mr. Speaker, I do not intend further to discuss either the merits of this controversy or the proposition which is now before the House. I want to say a word or two personal to myself. I have been upon this floor five years, engaged not infrequently in its debates, and until last night no one could justly accuse me, and no one, in point of fact, has accused me, of saying a word which could be construed as a reflection upon any member of this Chamber upon either side of it.

Unfortunately, in the heat of debate last night a single sentence escaped me which I can not recall, but which I can only regret. I desire to apologize in public and upon the floor of this House, as I have done in private, for the language, fully and sincerely, and trust that those whose feelings were injured by it and the membership of this House themselves will, if not now, at some time accept the apology in the same spirit in which it is offered. [Loud applause.]

Mr. CANNON. I yield to the gentleman from New York—how much time?

Mr. FOSS. I think there ought to be some arrangement as to time—say, an hour on a side.

Mr. CANNON. I am willing to yield the most of my time to such gentlemen as want to be heard upon either side; but I hope before an hour to get a vote. Now I will yield five minutes to the gentleman from New York [Mr. CUMMINGS].

Mr. GROSVENOR. Would it not be wise to fix a time at this time and divide it out and come to an end?

Mr. CANNON. I think we can get through in an hour.

Mr. GROSVENOR. I think there will be some time wanted to debate this.

Mr. CANNON. I have got the floor, and will yield five minutes to the gentleman from New York.

Mr. CUMMINGS. Mr. Speaker, I heard with great satisfaction

the apology of the gentleman from Massachusetts. It is an apology, in my opinion, justly due and handsomely tendered. The conferees on the naval appropriation bill had spent days of hard work in conference with those who are known as the most adamantine conferees in the Senate. It labored day and night without ceasing, and under extreme difficulties. It fought hard, and I may say that it won for this House the greatest victory that has been obtained from any Senate conferees since the foundation of the Government. We fought them on their own grounds and were triumphant. We merited the thanks of the House—not its censure.

We went back into conference on the only proposition that was left. It was the question of the ocean surveys. We forced them to give up three-fourths of their proposition until only a single word was left in dispute—the word "hydrographic." We accepted it, subject to the will of the House. It was qualified so that it was utterly impossible, in my opinion, for the Hydrographic Office or any other office to do more with it than can be done under this very proposition of the gentleman from Illinois. [Applause on the Republican side.] The Chair, under the instructions of the House, virtually took this matter out of the hands of the Committee on Naval Affairs and gave it to the Committee on Appropriations. Our committee was virtually robbed of its jurisdiction in naval affairs, and the whole matter turned over to the chairman of the Committee on Appropriations and his fugleman from Massachusetts. And what have the representatives of that committee done?

They have violated your instructions by abandoning their ground and returning to this House with practically the same proposition that we brought to you. They technically obeyed your instructions, but practically violated them. The words "hydrographic survey" were qualified by us in the words "ocean survey;" and the Hydrographic Office could have done no more under these qualifications than the gentleman from Illinois proposes to do here. The word "hydrographic" had been used in naval appropriation bills since 1848; but the gentleman from Illinois, in the height of his indignation over some letters which, like a mole, he had unearthed in the Navy Department, and which he had retained ever since the bill was returned with the Senate amendments—I say in the height of his indignation, influenced possibly by a junketing trip which the Superintendent of the Coast and Geodetic Survey had given him and some of his colleagues [laughter and applause]—saw fit to impose upon this House last night by saying that the word "hydrographic" gave the Hydrographic Office the power to go out on the Sinnemahoning, the Tohopekalia, and the head waters of the Whopwallopy—yes, even the River Styx—and make surveys, purposely misleading the House by such a statement. The Hydrographic Office makes no other surveys under the provision that we brought into the House than ocean surveys, and ocean surveys mean ocean surveys—they would not take in the coasts, and the old conferees were practically deposed and censured by this operation.

I want to say again, referring to the apology of the gentleman from Massachusetts, that I thought we had a jackal in the House. Jackals always precede the lion; and when this magnificent beast from Illinois [laughter] was lashing his sides with his tail in his fury, and roaring because he smelled fresh meat [laughter], the jackal had rushed to the front. [Laughter.]

The SPEAKER. The time of the gentleman has expired.

Mr. CANNON. I yield the gentleman three minutes more if he desires.

Mr. CUMMINGS. I thank the gentleman. And then, Mr. Speaker, we had another beautiful illustration of the methods of the gentleman from Illinois. We found him here in the main aisle with his arms around that glorious Democratic candidate for Vice-President from New York [Mr. SULZER] [laughter] whispering into his left ear with all the suavity characteristic of the late Samuel J. Tilden. [Laughter.] Everything possible was done to degrade the conferees who had served you so faithfully and to throw the power conferred upon them into the hands of the Committee on Appropriations.

Mr. Speaker, I have spoken of the difficulties surrounding the old conferees. I went from this House to the last conference with 20 men on my side of the Chamber pleading with me to come to some arrangement by which the House would have it in its power to secure a prompt adjournment. We did so; we did not crowd it upon the House; we did not propose to disagree and go back. We proposed to give you an opportunity to adjourn and adjourn immediately if you wanted to do so, and to enable some of the Southern members to catch the 9 o'clock train. You could take it or send us back if you wanted to stay here. Yet, to my astonishment, these very men who had importuned me to do this stood up on the floor of the House before my face and virtually voted to censure me for heeding their wishes. Mr. Chairman, I again say, I see no difference between this proposition of the gentleman from Illinois and the proposition we brought into the House for your consideration.

MR. CANNON. Then the gentleman is in favor of this proposition?

MR. CUMMINGS. I have no objection to it. I want to get away about as bad as anybody else [laughter], but I do object to the manner in which it is made in defiance of the instructions of the House. We told you then that you were going up against a stone wall, that the Senate would never agree to the House proposition; but you wanted to go, and you went up against the stone wall, and now you come back here crawling before the House on your hands and knees begging it to accept your surrender. Why did not you stand by the proposition which the House made at your instance? Why are you backing down at the first fire? You are misnamed. You are no cannon; you are a toy musket. [Loud applause and laughter.]

Mr. Speaker, I feel relieved by his apology from the imputation cast upon me by the gentleman from Massachusetts [Mr. Moody] in his reference to the conferees, and I shall feel vastly more relieved when the House does the proper thing by its old conferees and sustains the motion of the gentleman from West Virginia. [Applause.]

MR. CANNON. Mr. Speaker, I desire to close this debate. If there is no desire for further time, I will take a minute and then move the previous question.

MR. DAYTON. Mr. Speaker, I want to be recognized in my own right, and not to allow the gentleman from Illinois to close the debate in his own way.

THE SPEAKER. That can not be done now.

MR. HAWLEY. Will the gentleman from Illinois yield to me for a question?

MR. CANNON. Yes.

MR. HAWLEY. There has been considerable discussion concerning shoal waters and the coast, and I think at least some members of the House do not clearly understand what is meant by the proposition of this committee. I desire to make it plain whether this amendment means that shoal water at the coast carries with it the survey of the bays and landlocked harbors in the Philippines and the island of Cuba.

MR. CANNON. How much time have I, Mr. Speaker?

THE SPEAKER. The gentleman has twenty-four minutes.

MR. CANNON. I will yield nineteen minutes of that twenty-four to my colleague [Mr. Foss] or any other gentleman who is opposed to the amendment.

MR. HAWLEY. Mr. Speaker, the gentleman yielded to me for an inquiry, as I understood it.

MR. CANNON. I will answer the gentleman from Texas when I come to make my closing remarks.

MR. DAYTON. Mr. Speaker, I want to say that if we want to get a fair understanding of this matter we can not do it in thirty-four minutes. I do not want to take one moment more time than is necessary, but I think the chairman of the Committee on Naval Affairs ought to be recognized for an hour. I do not think the debate ought to be limited to an hour.

THE SPEAKER. The Chair will state that this matter is within the control of the House. The gentleman from Illinois has demanded the previous question. If that is ordered it will end discussion.

MR. CANNON. I will yield to my colleague nineteen minutes of the twenty-four, with the statement that if that is not sufficient time, I am quite sure, either upon his own request or upon mine or anybody else's, the time will be extended.

MR. DAYTON. I think the gentleman from Illinois—

MR. CANNON. I am dealing with my colleague [Mr. Foss].

MR. DAYTON. You are dealing with your colleague, but you are also dealing with me, in a measure.

THE SPEAKER. The question is upon ordering the previous question—

MR. CANNON. No, Mr. Speaker; I yielded to my colleague, the gentleman from Illinois [Mr. Foss].

THE SPEAKER. The Chair understood the yielding was declined.

MR. CANNON. Oh, no; my colleague [Mr. Foss] desires some time. I yield him nineteen minutes of my twenty-four.

THE SPEAKER. The gentleman from Illinois [Mr. Foss] is recognized for nineteen minutes.

MR. FOSS. Mr. Speaker, I would not speak at this time if I did not feel it due to a great Department of our Government that I should say a few words. So far as I am concerned, I have stood by the instructions of the House; but now I am not a conferee I feel at liberty to state at least the views of the Navy Department.

I regret exceedingly that my honored colleague from Illinois has seen fit to bring in here a communication from Commander Todd, a letter which was written without the knowledge of the Secretary of the Navy and without the knowledge, so I am informed, of the Chief of the Bureau of Equipment. Mr. Todd is under suspension for that letter. In the heat of the moment, under the excitement of the hour, he committed an indiscretion against the naval regulations. And, let me say, the regulations

as to interfering with Congressional legislation are more stringent in the Navy Department than in any other Department of this Government.

Why, sir, every day members of Congress are receiving communications from postal clerks and railway mail clerks—yes, and officers of the Coast and Geodetic Survey have written letters to members of Congress while this discussion has been going on; and employees of that Survey have come to members of Congress, whom I could point out on this floor, and asked them to support their side of this contention. So I say to you, Mr. Speaker, the gentleman can not rest his case upon a communication of that kind, but must rest it upon the substantial merits of the proposition.

The Navy Department needs no defense upon this floor. This man, Mr. Todd, has made a brilliant record in the naval service of our country. He was in the Spanish-American war. He performed splendid and valiant service, and was recommended by the President of the United States for promotion. I say to you that, notwithstanding the indiscretion of Commander Todd, the splendid and magnificent record which he has made will cover a multitude of indiscretions.

There was no trouble between the Coast and Geodetic Survey and the Navy Department with reference to surveys until this year. The Coast and Geodetic Survey was organized in 1807, and its jurisdiction applied to the surveys of the waters 20 leagues from the shore line into the ocean. That was the distinct line between the Coast and Geodetic Survey and the Navy Department. The Navy had the ocean and the islands in the ocean. The Navy has always surveyed islands in the ocean. They have surveyed wherever the ships of the Navy have gone. They have to make these surveys. There are many harbors which are uncharted.

Why, sir, it is only a short time ago that the *Charleston* ran against a rock in an uncharted sea. And I say to you that when you take away from the Navy the right to make these surveys where its ships go, you might as well take away from it the responsibility for the \$5,000,000 or \$6,000,000 which is in one of these great battle ships.

MR. UNDERWOOD. Allow me to ask a question for information? As a matter of fact, is there any material difference between the resolution now offered by the gentleman from Illinois [Mr. Cannon] and the resolution he offered last night?

MR. FOSS. I have not read the resolution yet. I will come to that later. But I am stating now the views of the Navy Department on this proposition—the general proposition. Now, let me read for the information of the House a letter from our able Secretary of the Navy which was written to the chairman of the Committee on Appropriations on the 5th of February of this year. The Secretary of the Navy writes:

As a result of the war with Spain the Navy is now in possession of a large number of small vessels suitable for surveying work. They are armed, and can therefore perform police work in addition, if necessary. Their presence in our new possessions will be required for an indefinite time, and the personnel of their crews is fully equipped to make hydrographic surveys. This work will be promptly executed by them and the navigation of commercial and naval ships in these regions safeguarded. The Navy has no incentive to prolong surveying duty. The cost of the *Charleston*, the loss of which was due to defective charts, would pay for the entire survey of the Philippines by the naval vessels. It will thus be seen that the necessary military expense would also cover the civil cost embraced in the appropriations for the Coast Survey establishment, so far as our new possessions are concerned.

The prompt execution of this work is all-important, and, in the opinion of this Department, the work should be done by that branch of the public service best qualified, which is now, as in the past, the Navy. For more than sixty years the Navy has done all surveying outside of the limits of the United States, and its charts are of the best. With vessels already owned by the Navy, with trained officers and men, economy, prompt results, and good administration would seem to clearly indicate that this course should be continued. The navies of all other maritime nations have charge of their hydrographic work; there is no exception to this rule. It is the result of long years of experience, is sound in theory and practice, and constitutes in itself a safe guide for our Government.

That is an expression of the Secretary of the Navy in a letter written to the chairman of the Committee on Appropriations. Now, Mr. Speaker, there has been a vast amount of misinformation which has been offered in the discussion of this question. I do not charge anybody with intentionally giving misinformation; but it has been stated here that the making of surveys of our insular possessions can be done more cheaply by the Coast and Geodetic Survey than by the Navy. On this point I desire to make a statement, because I know that that suggestion has had an important effect in the previous discussion of this matter.

As regards the comparison of cost of soundings made by the vessels *Eagle* and *Yankton* and the Coast Survey steamer *Blake*, there is a misstatement in the first place as to the number of soundings made by the naval vessels. It is given by Mr. CANNON as 25,000, whereas there were by actual count of the *Yankton* 31,690, and from a report of the commanding officer of the *Eagle* in excess of 25,000; total 56,690. But at one stage of the *Eagle*'s work it was thought possibly an error had been made. This caused a reexamination, involving 25,000 additional soundings.

The total number actually taken by the *Eagle* in Guantanamo Bay was in excess of 50,000.

No mistake had been made, but the necessity of absolute accuracy made reexamination necessary. It is this accuracy of work by the naval officers that commands the confidence of the maritime world. It is true only 26,000 were used in making that chart, but the seafaring man knows that they can be depended upon. It is not the number but the accuracy that fixes the value of soundings, nor is it a matter of dollars and cents, for on this accuracy may depend the lives of hundreds, and millions in money, and along with these might go national disaster and humiliation.

Now, using Mr. CANNON's method of comparing the cost of soundings made by the Navy and by the Coast Survey, we have the following: In place of the 25,000 stated to have been made by the *Eagle* and *Yankton*, we have 81,690, and this against the 70,400 made by the *Blake*. And again using Mr. CANNON's proportion, we have as the cost per sounding made by the Navy vessels, 30.2 cents, as against 35 cents for the Coast Survey.

But now look at the amount of coast line surveyed by the different vessels. The coast line gone over by the Coast Survey in Porto Rico was 57½ miles, whereas the total amount of coast line surveyed by the *Eagle* and *Yankton* was 150 miles. Part of the shore work of 57½ miles credited to the Coast Survey was a matter of 14½ miles in the harbor of Ponce, which work (the topography) was done by the Army engineers.

Now, Mr. Speaker, there is another consideration that we must observe. The Government does not have to pay this 30 cents per sounding. Why? Because we have the men, the officers, and the ships, and the Government has to pay the men and the officers and provide the ships even if the surveys are not being made.

Now, Mr. Speaker, there is another matter to which I wish to call the attention of the House, and that is in reference to surveys done in the Philippine Islands. We have our vessels there; we have our men and our officers; and they could just as well be doing the work of surveying, without additional expense to the Government, as to send out a fleet which you would have to build for the Coast and Geodetic Survey. That Survey ask an increase of \$100,000 in the appropriation, whereas in the naval bill the original proposition was only for \$100,000 to do the work. All that will be necessary to use of this appropriation will be somewhere about \$4,000 for each ship to buy the necessary additional instruments for doing the work.

Now, let me say a word about Philippine surveys. If the Coast and Geodetic fleet should go over there to do the work, I predict that they can not make the surveys. Why? Because the islands are filled with some sixty, seventy, or eighty different tribes of savages, and you would have to send the American Navy to back up the Coast and Geodetic fleet for the purpose of making the survey, and to protect them while making it.

That is the proposition; but not only that, Mr. Speaker, I am not in favor, as a member of this House, of establishing the civil bureaus of our Government over the Philippine Islands at the present time. I want a military government maintained there for the present. I am surprised at gentlemen on the other side of the House, who are against the retention of the Philippines and fight "expansion" so vigorously, who do not believe that the civil government can go over there, and yet are voting for a proposition to extend the Coast and Geodetic Survey across the seas into those far-away regions.

Mr. RIDGELY. Will the gentleman allow a question?

Mr. FOSS. The gentleman must excuse me. My time is very limited.

That means, Mr. Speaker, if you send your Coast and Geodetic fleet over there to make these surveys, it will be followed by other departments of the Government in order. It will be but a short time before the Geological Survey will go; the Land Office will go, and you will find every branch of the civil government as it is organized here gradually extending itself into the Philippine Islands. Now, I ask how gentlemen on the other side of the House can reconcile themselves to that condition of affairs? I ask how they, holding the views they do, can vote for a proposition like this? I would like to have them explain that question.

Now, Mr. Speaker, there is another thing, and that is the most important of all. We charge our officers upon these ships with the responsibility for the safe guidance of these vessels over the ocean and over unknown waters. In these massive battle ships are locked up five or six million dollars each, dollars taken out of the public Treasury, out of the pockets of the people.

These men are charged with this great responsibility. Let me ask you, in all fairness and candor, if you charge them with responsibility to safely conduct these vessels over the sea, should you not give them at least the right to make the surveys in these uncharted waters? That is the proposition. I say, when you take away that right, then relieve them of the responsibility.

Now, Mr. Speaker, I do not care to indulge in debate any longer. I have given you an expression of the feeling of the Navy Department upon this proposition.

[*Here the hammer fell.*]

Mr. CANNON. Mr. Speaker, how much time have I remaining? The SPEAKER. The gentleman has five minutes.

Mr. CANNON. I yield of that time three minutes to the gentleman from Colorado [Mr. SHAFROTH].

Mr. SHAFROTH. Two minutes will do.

Mr. CANNON. Then I yield two minutes.

Mr. SHAFROTH. Mr. Speaker, the contention of the gentleman, or at least of some gentlemen, has been that this amendment which is offered here is substantially the same thing as the Senate amendment, and I want to address myself to that particular. The amendment as it came from the Senate reads as follows:

Ocean and lake surveys: For hydrographic surveys and for the purchase of nautical books—

And so forth.

"Ocean and lake surveys" is a subhead. It is not legislation. It is intended to catch the eye to the subject-matter. When it comes to the legislation, the wording is "For hydrographic surveys," and no man can construe that any other way than that the Navy would have the right to make the surveys of the Atlantic and Pacific coasts of the United States.

Mr. LITTLEFIELD. Has that ever received a practical construction in the history of the Department?

Mr. SHAFROTH. It has not been in this language. The language of appropriations heretofore has been "For special ocean surveys." Under the words "For hydrographic surveys" there is no limitation whatever. Under this amendment which we ask you to adopt there can not be a survey of any of the harbors or of the coasts of the United States proper by the Navy Department, and consequently this amendment limits it exactly to where members thought they were limiting it last night.

Mr. LITTLEFIELD. Do I understand the gentleman to say that this is the first time the term "hydrographic" has appeared in the law or in an appropriation bill?

Mr. SHAFROTH. Oh, I do not know. I am not familiar with that.

Mr. CANNON. At the end of a minute and a half I desire to be called down, and in that minute and a half I desire to say that, in my judgment, after being informed, as I am satisfied I am, if the amendment that I move is adopted, inside of sixty minutes this Congress can adjourn, and what is desired to be accomplished by the House can substantially be accomplished. I now move the previous question.

Mr. DAYTON. If you will adopt my motion you can adjourn inside of thirty minutes.

The SPEAKER. The gentleman from Illinois demands the previous question.

The previous question was ordered.

The SPEAKER. The motion first comes upon the proposition of the gentleman from West Virginia [Mr. DAYTON] to recede and concur.

The question being taken,

Mr. DAYTON demanded a division.

The SPEAKER. Several gentlemen have announced "one more vote in the affirmative" or "one more vote in the negative." The Chair can not tell whether gentlemen have been counted before, when they come in so late after the count is completed. However, the Chair is not so particular in this case, as the ayes have a majority of 6. On this question the ayes are 77, the noes are 71.

Mr. CANNON. I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER. The parliamentary situation is this: The gentleman from Illinois has entered a motion which has been repeatedly read. A motion of higher privilege, namely, to recede and concur, has been offered by the gentleman from West Virginia [Mr. DAYTON]. On that the yeas and nays have been ordered. As many as favor the motion to recede and concur will, as their names are called, vote "aye;" those opposed will vote "no."

Mr. MORRIS. A parliamentary inquiry.

The SPEAKER. The gentleman will state his parliamentary inquiry.

Mr. MORRIS. If the motion of the gentleman from West Virginia prevails, will that agree to the recommendation of the conference made here last night?

Several MEMBERS. Yes.

The SPEAKER. Not precisely, but substantially.

Mr. CANNON. Well, substantially so.

The SPEAKER. The Chair stated that it was substantially so, but not precisely the same.

The question was taken; and there were—yeas 118, nays 96, answered "present" 18, not voting 124; as follows:

YEAS—118.

Alexander,	Brosius,	Clarke, N. H.	Cox,
Bailey, Kans.	Brownlow,	Clayton, Ala.	Cromer,
Baker,	Burkett,	Clayton, N. Y.	Cummings,
Barber,	Burleigh,	Connell,	Dahle, Wis.
Berry,	Butler,	Cooper, Tex.	Dalzell,
Boutell, Ill.	Carmack,	Cooper, Wis.	Davenport, S. W.
Bradley,	Clark, Mo.	Cousins,	Davidson,

Davis, Hedge, Tex.
 Dayton, Henry, Tex.
 De Graffenreid, Hoffecker,
 Dick, Hopkins,
 Dinsmore, Joy,
 Dolliver, Kahn,
 Eddy, Knox,
 Esch, Lamb,
 Finley, Landis,
 Fitzgerald, Mass., Lane,
 Fitzgerald, N. Y., Lassiter,
 Foss, Lawrence,
 Gaines, Lentz,
 Gardner, N. J., Littlefield,
 Gaston, Loudenslager,
 Glynn, Lovering,
 Greene, Mass., Lybrand,
 Griggs, McAleer,
 Grosvenor, McCall,
 Grow, Meekison,
 Hall, Metalco,
 Hawley, Meyer, La.,
 Hay, Miers, Ind.

NAYS—66.
 Aldrich, De Armond,
 Allen, Miss., Driscoll,
 Ball, Faris,
 Barney, Fitzpatrick,
 Bingham, Fleming,
 Bishop, Fletcher,
 Boreing, Gardner, Mich.,
 Brantley, Gibson,
 Breazeale, Gill,
 Brick, Gillett, Mass.,
 Bromwell, Gordon,
 Brown, Graff,
 Brundidge, Green, Pa.,
 Burke, S. Dak., Hamilton,
 Burleson, Hemenway,
 Burnett, Henry, Miss.,
 Burton, Hill,
 Calderhead, Hull,
 Caldwell, Jack,
 Cannon, Jones, Wash.,
 Cochran, Mo., King,
 Crump, Kleberg,
 Curtis, Klutz,
 Cushman, Lacey,

ANSWERED "PRESENT"—13.

Bankhead, Elliott,
 Bartlett, Haugen,
 Capron, Henry, Conn.,
 Corliss, Mercer,

NOT VOTING—124.

Acheson, Davey,
 Adams, De Vries,
 Adamson, Denny,
 Allen, Ky., Dougherty,
 Allen, Me., Dovenier,
 Atwater, Driggs,
 Babcock, Emerson,
 Bailey, Tex., Fordney,
 Barham, Foster,
 Bartholdt, Fowler,
 Bell, Fox,
 Bellamy, Freer,
 Benton, Gamble,
 Boutelle, Ma., Gayle,
 Bowersock, Gilbert,
 Brenner, Gillet, N. Y.,
 Brewer, Graham,
 Broussard, Griffith,
 Bull, Grout,
 Burke, Tex., Heatwole,
 Campbell, Hepburn,
 Catchings, Hitt,
 Chanler, Howard,
 Cochrane, N. Y., Howell,
 Cooney, Jenkins,
 Cowherd, Jett,
 Crowley, Johnston,
 Crumpacker, Jones, Va.,
 Cusack, Kerr,
 Daly, N. J., Ketcham,
 Davenport, S. A., Kitchin,

Latimer, Robinson, Ind.
 Lester, Robinson, Nebr.
 Levy, Rodenberg,
 Lewis, Sheldon,
 Linney, Sherman,
 Little, Showalter,
 Lloyd, Sims,
 Lorimer, Slayden,
 Loud, Smith, Ill.,
 McCleary, Smith, H. C.,
 McCulloch, Smith, Samuel W.,
 McDowell, Smith, Wm. Alden,
 Maddox, Spalding,
 Mahon, Spelman,
 Mann, Sperry,
 May, Spight,
 Mesick, Sprague,
 Muller, Stark,
 Noonan, Stewart, N. Y.,
 Norton, Ohio, Stokes,
 Norton, S. C., Sutherland,
 Pearson, Talbert,
 Pierce, Tenn., Taylor, Ohio,
 Phillips, Thayer,
 Powers, Tongue,
 Prince, Turner,
 Pugh, Vandiver,
 Quarles, Wadsworth,
 Rhea, Ky., Weeks,
 Robb, Wheeler, Ky.,
 Robertson, La., Wilson, S. C.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. BENNETT, its Secretary, announced that the Senate had passed the following resolution; in which the concurrence of the House was requested:

Resolved by the Senate (the House of Representatives concurring), That the President be requested to return to the Senate the bill of the Senate (S. 3106) relating to accounts of United States marshals and the clerks of the district courts for the Territory of Utah.

The message also announced that the Senate had passed without amendment bill of the following title:

H. R. 11599. An act to incorporate the supreme lodge of the Knights of Pythias.

The message also announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 4554) granting an increase of pension to Margaret M. Badger.

NAVAL APPROPRIATION BILL.

The following pairs were announced:

Until further notice:

Mr. ADAMS with Mr. LEVY,

Mr. GIBSON with Mr. SIMS.

Mr. GAMBLE with Mr. CUSACK.
 Mr. SHELDEN with Mr. ATWATER.
 Mr. LORIMER with Mr. LAMB.
 Mr. SAMUEL W. SMITH with Mr. QUARLES.
 Mr. PRINCE with Mr. GRIFFITH.
 Mr. SMITH of Illinois with Mr. SPIGHT.
 Mr. BOUTELLE of Maine with Mr. ROBERTSON of Louisiana.
 Mr. SPRAGUE with Mr. ROBINSON of Indiana.
 Mr. JENKINS with Mr. GAYLE.
 Mr. WEEKS with Mr. BURKE of Texas.
 Mr. BISHOP with Mr. CAMPBELL.
 Mr. POWERS with Mr. BANKHEAD.
 Mr. SPERRY with Mr. COWHERD.
 Mr. HAUGEN with Mr. BROUSSARD.
 Mr. TAYLER of Ohio with Mr. BARTLETT.
 Mr. MANN with Mr. JETT.
 Mr. DOVENER with Mr. CATCHINGS.
 Mr. BULL with Mr. NAPHEN.
 Mr. MORRIS with Mr. McCULLOCH.
 Mr. SOUTHARD with Mr. NORTON of Ohio.
 Mr. STEWART of New Jersey with Mr. MCALLEN.
 Mr. BARHAM with Mr. TURNER.
 Mr. CAPRON with Mr. SLAYDEN.
 Mr. MORGAN with Mr. VANDIVER.
 Mr. HEATWOLE with Mr. TATE.
 Mr. BARTHOLDT with Mr. LLOYD.
 Mr. BARCOCK with Mr. KING.
 Mr. REEVES with Mr. SPARKMAN.
 Mr. LOUDENSLAGER with Mr. STALLINGS.
 Mr. SHERMAN with Mr. DRIGGS.
 For the balance of the session:
 Mr. BOWERSOCK with Mr. JOHNSTON.
 Mr. MERCER with Mr. RHEA of Kentucky.
 Mr. PUGH with Mr. BERRY.
 Mr. McCLEARY with Mr. ROBINSON of Nebraska.
 Mr. WM. ALDEN SMITH with Mr. WILSON of South Carolina.
 Mr. WANGER with Mr. ADAMSON.
 Mr. METCALF with Mr. WHEELER of Kentucky.
 Mr. BROMWELL with Mr. McDOWELL.

For this day:

Mr. HENRY of Connecticut with Mr. ALLEN of Kentucky.
 Mr. KETCHAM with Mr. MULLER.
 Mr. PEARSON with Mr. MADDOX.
 Mr. ACHEON with Mr. HOWARD.
 Mr. LINNEY with Mr. ROBB.
 Mr. RODENBERG with Mr. LEWIS.
 Mr. SPALDING with Mr. PIERCE of Tennessee.
 Mr. FOWLER with Mr. SUTHERLAND.
 Mr. KERR with Mr. TALBERT.
 Mr. CORLISS with Mr. BENTON, on this vote.
 Mr. CLAYTON of Alabama. Mr. Speaker, I answered "present" on the roll call, and desire to have my name called.

The SPEAKER. Call the name of the gentleman.
 The name of Mr. CLAYTON of Alabama was called, and he voted "yea."

Mr. DAVIS. Mr. Speaker, I desire to change my vote from "nay" to "yea."
 The name of Mr. DAVIS was called, and he voted "yea."

Mr. RIORDAN. Mr. Speaker, I have a pair with the gentleman from New York, Mr. EMERSON. I desire to withdraw my vote and be marked "present."

The name of Mr. RIORDAN was called, and he voted "present."

Mr. CARMACK. Mr. Speaker, I want to know if my colleague,

Mr. BROWNLOW, voted?

The SPEAKER. He did.

Mr. MERCER. Mr. Speaker, I desire to know if the gentleman from Kentucky, Mr. RHEA, voted on this call?

The SPEAKER. He did not.

Mr. MERCER. Then I desire to withdraw my vote.

The name of Mr. MERCER was called, and he voted "present."

Mr. MORRIS. Mr. Speaker, I have a pair with the gentleman from Arkansas, Mr. McCULLOCH. I desire to withdraw my vote and be marked "present."

The name of Mr. MORRIS was called, and he answered "present."

Mr. VREELAND. Mr. Speaker, I was present in the House and listening, and failed to hear my name called.

The SPEAKER. Was the gentleman listening when his name should have been called?

Mr. VREELAND. I was; hard.

The SPEAKER. Call the name of the gentleman.

The name of Mr. VREELAND was called, and he voted "nay."

Mr. METCALF. Mr. Speaker, I answered "present" on the roll call. I have a general pair with the gentleman from Kentucky, Mr. WHEELER. We are both members of the committee, I think if he were present he would vote "yea," and I withdraw my vote of "present" and vote "yea."

The name of Mr. METCALF was called, and he voted "yea."

Mr. BROMWELL. Mr. Speaker, I have a general pair with my colleague, Mr. McDowell. I am inclined to believe that if he were present he would vote "nay." I voted "nay." Therefore I wish to have the pair withdrawn.

The SPEAKER. The pair will be withdrawn.

Mr. NAPHEN. Mr. Speaker, I have a general pair with the gentleman from Rhode Island, Mr. Bull. I voted "yea" on the assurance that he would vote "yea," and desire to have my vote stand.

The result of the vote was then announced as above recorded.

Mr. DAYTON. Mr. Speaker, we can dispose of this bill now in five minutes, if the gentleman from Illinois will ask for a reconsideration of his motion to insist upon the disagreement, by a motion which I can make.

Mr. CANNON. I am not so familiar as is the gentleman from West Virginia with the amendments not disposed of. I moved that the House further insist, which was adopted. He is quite certain, and so far as I can see from a casual examination, if the House were to concur in the Senate amendments, numbered as he has them in his hand, it seems to me it would pass the bill. The gentleman himself seems quite sure of it, and is more familiar with it than I am. But as the House has further insisted, and after the vote which has just been given, I think it is my duty to the House to move that the House reconsider its action by which it further insisted on the disagreement to the four Senate amendments.

The SPEAKER. The gentleman from Illinois moves that the House reconsider its vote taken this morning to further insist on amendments 50 to 53, inclusive, if the Chair has the numbers right.

Mr. DAYTON. Amendments 50, 51, 52, and 53.

The question was taken; and the motion was agreed to.

Mr. DAYTON. Now, Mr. Speaker, I want to make a motion that the House recede and concur in the Senate amendments 50, 51, 52, and 53. I want to make a simple statement why I make this motion. These amendments relate to the cadets at Annapolis; and I want the members of the House to understand that at the end of four years they will be permitted to nominate a cadet at Annapolis, although the cadet graduating will not get his commission until he has finished a six years' course at the Academy—four at the Academy and two at sea.

I want to say that I am satisfied that there can be no agreement reached upon these amendments at this session with the Senate conferees. The House provision was very near to me, and I stood up for it and insisted upon it, both in the personnel bill and the appropriation bill, and I reluctantly make this motion. I think if my motion is agreed to, that this will be a solution of the deadlock.

The SPEAKER. The question is on the motion of the gentleman from West Virginia, that the House recede and concur in the Senate amendments 50 to 53, inclusive.

The SPEAKER (after taking the question). The ayes have it, and the naval appropriation bill is passed. [Applause.]

ACCOUNTS OF UNITED STATES MARSHALS, ETC., UTAH.

The SPEAKER laid before the House the Senate concurrent resolution No. 81; which the Clerk read, as follows:

Resolved by the Senate (the House of Representatives concurring). That the President be requested to return to the Senate the bill of the Senate (S. 3106) relating to accounts of United States marshals and the clerks of the district courts for the Territory of Utah.

The resolution was agreed to.

SAMUEL S. WHITE.

Mr. LOUDENSLAGER. Mr. Speaker, I call up the conference report on the bill (S. 331) granting an increase of pension to Samuel S. White.

The Clerk read the conference report, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House of Representatives to the bill S. 361, an act granting an increase of pension to Samuel S. White, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House, and agree to an amendment as follows: In lieu of the sum proposed by the House insert "twenty;" and the House agree to the same.

H. C. LOUDENSLAGER,
J. H. BROMWELL,
S. W. DAVENPORT,
Managers on the part of the House.
J. H. GALLINGER,
J. V. QUARLES,
Managers on the part of the Senate.

The conference report was agreed to.

The Clerk read the statement, as follows:

The managers on the part of the House in the conference on the disagreeing votes of the two Houses on Senate bill No. 331, granting an increase of pension to Samuel S. White, report that the Senate passed the bill with the rate of \$30 per month, and the House amended it to \$12 per month. At the conference the Senate receded from its disagreement to the House amend-

ment, and the House receded from its amendment at \$12 per month, and the conferees agreed to insert \$30 per month.

H. C. LOUDENSLAGER,
J. H. BROMWELL,
S. W. DAVENPORT,
Managers on the part of the House.

MARGARET M. BADGER.

The SPEAKER. Mr. Speaker, I desire to submit another conference report.

The SPEAKER. The Clerk will read the statement of the conferees.

The Clerk read as follows:

JUNE 7, 1900.

The managers on the part of the House in the conference on the disagreeing votes of the two Houses on House bill No. 4554, granting an increase of pension to Margaret M. Badger, report that the House passed the bill with the rate of \$30 per month and the Senate amended it to \$50 per month. At the conference the Senate receded from its amendment at \$50 per month and the House receded from its disagreement to the Senate amendment, and the conferees agreed to insert \$40 per month.

H. C. LOUDENSLAGER,
J. H. BROMWELL,
S. W. DAVENPORT.

The report was considered, and agreed to.

ROADS AND BRIDGES, DISTRICT OF COLUMBIA.

Mr. RICHARDSON. Mr. Speaker, I ask unanimous consent for the present consideration of the joint resolution (S. R. 130) which was read this morning.

The joint resolution is as follows:

Resolved, etc. That the sum of \$10,000, or so much thereof as may be necessary, be, and is hereby appropriated, out of any money in the Treasury not otherwise appropriated, for the repair of county roads and bridges (including those in the Rock Creek and the Zoological parks) that were damaged by the storm of June 2, 1900, the same to be immediately available, and to be expended under the Commissioners of the District of Columbia.

The SPEAKER. Is there objection to the present consideration of the joint resolution?

Mr. LENTZ. Mr. Speaker, I withdraw the objection I made this morning.

The SPEAKER. The Chair hears no objection.

Mr. DE ARMOND. Mr. Speaker, I wish to ask the gentleman from Tennessee whether this all comes out of the Federal Treasury or one-half from the District treasury?

Mr. RICHARDSON. I will state to the gentleman from Missouri that this was sent to me by the Commissioners this morning. I ask for the reading of the joint resolution again, as I have not examined that point carefully.

The joint resolution was again read.

Mr. DE ARMOND. It seems to me that this all comes out of the Federal Treasury.

Mr. BINGHAM. No, I will say to the gentleman; this is merely a local District appropriation for the repairs of roads and bridges.

Mr. DE ARMOND. I think it comes out of the Federal Treasury, but on the statement made I shall not pursue the objection.

The joint resolution was considered, and ordered to be read the third time; and it was accordingly read the third time, and passed.

On motion of Mr. RICHARDSON, a motion to reconsider the last vote was laid on the table.

BUSINESS OF THE NAVAL COMMITTEE.

Mr. FOSS. Mr. Speaker, I ask unanimous consent for the present consideration of the resolution I send to the desk.

The SPEAKER. The resolution will be read, subject to the right of objection.

The Clerk read as follows:

Resolved. That the Committee on Naval Affairs shall have leave to sit during the interim between the first and second sessions of the Fifty-sixth Congress.

The SPEAKER. Is there objection to the present consideration of the resolution?

Mr. LENTZ. Mr. Speaker, I shall object unless we also have the testimony in the Coeur d'Alene case printed.

The SPEAKER. Objection is made.

QUARANTINE POWERS, MARINE-HOSPITAL SERVICE.

Mr. UNDERWOOD. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (S. 4171) to amend "An act granting additional quarantine powers and imposing additional duties upon the Marine-Hospital Service," approved February 15, 1893.

The SPEAKER. The bill will be read subject to the right of objection.

The bill was read, as follows:

Be it enacted, etc. That an act granting additional quarantine powers and imposing additional duties upon the Marine-Hospital Service, approved February 15, 1893, be amended by addition of the following sections:

"SEC. 10. That the Supervising Surgeon-General, with the approval of the Secretary of the Treasury, is authorized to designate and mark the boundaries of the quarantine grounds and quarantine anchorages for vessels which are reserved for use at each United States quarantine station; and any vessel or officer of any vessel or other person, other than State or municipal health or quarantine officers, trespassing or otherwise entering upon such grounds or anchorages in disregard of the quarantine rules and regulations, or without

permission of the officer in charge of such station, shall be deemed guilty of a misdemeanor and subject to arrest, and upon conviction thereof be punished by a fine of not more than \$300 or imprisonment for not more than one year, or both, in the discretion of the court. Any master or owner of any vessel, or any person violating any provision of this act or any rule or regulation made in accordance with this act, relating to inspection of vessels or relating to the prevention of the introduction of contagious or infectious diseases, or any master, owner, or agent of any vessel making a false statement relative to the sanitary condition of said vessel or its contents or as to the health of any passenger or person thereon, shall be deemed guilty of a misdemeanor and subject to arrest, and upon conviction thereof be punished by a fine of not more than \$300 or imprisonment for not more than one year, or both, in the discretion of the court.

SEC. 11. That any vessel sailing from any foreign port without the bill of health required by section 2 of this act, and arriving within the limits of any collection district of the United States, and not entering or attempting to enter any port of the United States, shall be subject to such quarantine measures as shall be prescribed by regulations of the Secretary of the Treasury and the cost of such measures shall be a lien on said vessel, to be recovered by proceedings in the proper district court of the United States and in the manner set forth above as regards vessels from foreign ports without bills of health and entering any port of the United States.

SEC. 12. That the medical officers of the United States, duly clothed with authority to act as quarantine officers at any port or place within the United States, and when performing the said duties, are hereby authorized to take declarations and administer oaths in matters pertaining to the administration of the quarantine laws and regulations of the United States."

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. LENTZ. Mr. Speaker, I want to ask the gentleman from Alabama whether he will permit an amendment to provide against the Army worm operating against labor unions throughout this country in this quarantine measure?

Mr. UNDERWOOD. I do not desire to interfere in anything the gentleman from Ohio wishes; but having been recognized for the purpose of this alone, I could not consent to any amendment.

Mr. LENTZ. Well, I will not object. The gentleman seems good natured about it.

Mr. RAY of New York. Mr. Speaker, I was on my feet for the purpose of making inquiry about this bill when the gentleman from Ohio rose.

The SPEAKER. * The Chair has not passed the point of objection yet.

Mr. RAY of New York. I understood the gentleman from Ohio to object.

The SPEAKER. He did not.

Mr. RAY of New York. Of course I do not want any misunderstanding about it.

Now, reserving the right to object, I desire to make some inquiries in regard to the bill.—

Mr. UNDERWOOD. I will state briefly—

Mr. RAY of New York. Let me inquire what committee this bill comes from?

Mr. UNDERWOOD. From the Committee on Interstate and Foreign Commerce.

Mr. RAY of New York. When reported, or about when?

Mr. UNDERWOOD. It is not my bill, I will say to the gentleman, but it was reported to the House on the 29th day of May. It is a bill that is in the interest of the health of the people.

Mr. RAY of New York. Is it a Senate bill?

Mr. UNDERWOOD. It is.

Mr. RAY of New York. When did it pass the Senate?

Mr. UNDERWOOD. I think on May 28.

Mr. RAY of New York. And it is of general application, is it not, throughout the United States?

Mr. UNDERWOOD. It is. It is an amendment to the present law.

Mr. RAY of New York. And creates new offenses?

Mr. UNDERWOOD. Yes.

Mr. RAY of New York. And imposes penalties?

Mr. UNDERWOOD. I think it does.

Mr. RAY of New York. All of a serious nature?

Mr. UNDERWOOD. Yes; now if the gentleman will allow me—

Mr. RAY of New York. I observe that one of the penalties named in the bill is twelve months in the penitentiary.

Mr. UNDERWOOD. The gentleman heard the bill read, I presume.

Mr. RAY of New York. Now, what does the gentleman from Alabama say in explanation of the bill?

Mr. UNDERWOOD. This is not my bill; it is a bill which came from the Senate. I have asked unanimous consent for its consideration and passage because I am assured by Surgeon-General Wyman, of the Marine Hospital, that it is necessary to have these amendments to the existing law in order that he can enforce the quarantine regulations in reference to ships landing in this country. The bill is merely administrative in its features. The law now contains certain prohibitions; but if they are violated there is no law to punish the violation. Under these circumstances, as the gentleman will recognize, the law is at the present time nugatory.

Mr. RAY of New York. We have gotten along very well for several years under the existing law.

Mr. UNDERWOOD. At present, as General Wyman states to me, there are some cases of bubonic plague in San Francisco. We are in daily contact with Cuba. Hence the need for prompt action upon this measure. It only relates to the shipping interest; it does not affect local or State quarantines. I believe that in order to keep yellow fever out of this country in the South and the bubonic plague out of the country on the Pacific coast, it is necessary to have these restrictions. That is the only interest I have in the bill. If the gentleman thinks it improper to pass it at this time—

Mr. RAY of New York. What reason is there for not having brought the bill up before?

Mr. UNDERWOOD. For an answer to that question I refer the gentleman to the chairman of the Committee on Interstate and Foreign Commerce.

Mr. PAYNE. We have not had the plague in this country a great while. General Wyman spoke to me about this bill a few days ago. He thinks it most important that it should be passed at this session of Congress.

Mr. UNDERWOOD. It is very important and very necessary.

Mr. RAY of New York. It strikes me it is bad policy for the Congress of the United States to wait until the closing moments of the session and then press forward a bill of this character, creating offenses and imposing heavy penalties and disturbing the quarantine regulations of the whole nation. Not five members of the House, outside of the committee who reported the bill, know anything about it. It is a most important bill, and may interfere with every State in the Union. I want a general law and introduced a good bill, but it sleeps in committee and the committee sleeps also.

Mr. UNDERWOOD. Well, I will simply state to the gentleman that the bill embraces matters which are purely within the jurisdiction of the United States Government. It is essential to the protection of the public health, and for that reason I ask its passage now. If the House thinks it wise, now when the summer is coming on and the country threatened with the introduction of these contagious diseases, to delay this bill until the next session of Congress, I have nothing further to say.

Mr. HEPBURN. Let me say to the gentleman that this is a compromise bill, and so far as we understand those who have examined it have no objection to it. It does not interfere with the functions of the quarantine boards of the separate States. Among other things, it defines the boundaries of the jurisdiction and imposes more certain penalties.

Mr. RAY of New York. Can the gentleman assure me that the bill does not interfere at all with the present powers and jurisdiction of the quarantine boards of the several States? It says the Marine-Hospital Service may prescribe boundaries. This may interfere with these matters in my own State, at the port of New York.

Mr. HEPBURN. I do not think it does in the slightest degree. One of the troubles we have had in the consideration of this quarantine bill—

Mr. RAY of New York. Has the gentleman a copy of the bill?

Mr. HEPBURN. No, sir.

Mr. RAY of New York. Has the gentleman from Alabama a copy of the bill? I would like to see it. [A member handed to Mr. RAY of New York a copy of the bill.]

Mr. GROSVENOR. I wish to ask the gentleman from Alabama a question. I have always favored this kind of legislation; but I wish to ask the gentleman whether the people down along the Southern coast would consider such a measure as this an invasion of State rights?

Mr. UNDERWOOD. I do not think they would. The bill does not interfere in any way with the local quarantine question. It is merely administrative, carrying out more efficiently the existing law.

Mr. GROSVENOR. It gives the Government a better chance?

Mr. UNDERWOOD. Yes; better chance to enforce the laws already on the statute book.

Mr. BROSIUS. Under this bill how are we going to avoid conflict between the States and the General Government? How are we going to administer concurrent jurisdiction, for instance, in the Delaware River?

Mr. UNDERWOOD. The provisions of the bill do not involve any question of that kind.

In further explanation of the bill, I send to the desk a statement, which I would be glad to have read.

Mr. RAY of New York. I hope it will be read. I want a little further time to look at the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. RAY of New York. Pending that question, the gentleman from Alabama sends to the desk a communication which he desires to have read.

Mr. UNDERWOOD. It is a communication explaining the bill.

The SPEAKER. Without objection, the communication will be read.

The Clerk read as follows:

Memorandum in explanation of bill (S. 4771) amending the act of Congress approved February 15, 1893.

Section 10: This section authorizes legal boundaries to the quarantine anchorage and grounds and provides specific penalty for trespass thereon. It also provides a penalty for the violation of the rules relating to the inspection of vessels. The present law has no penalty attached, and the national quarantine service has been much embarrassed by reason thereof. In a number of instances the Government has been placed in the humiliating position of being obliged to resort to penalties provided by State laws in order to punish infraction of well-known quarantine procedures, and has even had to request that special regulations be made by the States in order that the penalties which are provided by State law might be imposed.

Section 11: This section relates to vessels arriving within the limits of any collection district of the United States without a bill of health, and is meant to apply particularly to fishing smacks and other small craft which leave Habana and other Cuban ports, and under the guise of fishing come within the collection districts of Florida and there land any sick which may be aboard and smuggle Aguardiente rum and tobacco, thus holding communication with the shore and liable to convey infection. These small vessels are particularly dangerous, inasmuch as they are manned by laborers recently from Spain, and who are therefore not immune to yellow fever, and lie in the portions of Habana harbor particularly exposed to infection. The effect of this section will not only to prevent the introduction of contagious disease, but also to prevent smuggling.

The provisions of this section 11 were contained in the joint resolution which passed both Houses of Congress in 1897, but was among a number of other unobjectionable bills which President Cleveland failed to sign simply from lack of time.

Section 12: This section gives authority to national quarantine officers to administer oaths. This right is generally exercised by State quarantine officers, and the same right should be given national officers. This right is also considered to be one of the chief safeguards exercised by the English quarantine officers.

It will be observed that these amendments and additions relate to maritime and border quarantine only.

Mr. RAY of New York. Of course the gentleman from Iowa [Mr. HEPBURN] and the gentleman from Alabama [Mr. UNDERWOOD] are perfectly conscious of my purpose. It is simply to see that nothing is done which will interfere with local jurisdiction in this matter. This appears to be a general bill—

Mr. HEPBURN. It is a general bill.

Mr. RAY of New York. I want to be assured that it contains nothing which will interfere with the efficiency of the quarantine laws of the States, especially the State of New York.

Now, the only thing that has attracted my attention here that I can see any possible objection to is this, whether this would interfere in any way with the power of the State of New York or any other State under its own laws to mark the boundaries of quarantine grounds.

Mr. HEPBURN. I think not.

Mr. RAY of New York. You know there is this rule, where there is a conflict between Congress—

Mr. HEPBURN. I have answered the gentleman's question. I think I understand it.

Mr. RAY of New York. If you know it all now, and your answer has answered a statement I have not made, but desire to make, why, we will object to it and cut the matter short.

Mr. PAYNE. Oh, I hope the gentleman will not object.

Mr. RAY of New York. Well, the gentleman is not willing to listen to a question.

Mr. HEPBURN. I am ready to listen to a question, but I do not care to be informed by the gentleman—

Mr. RAY of New York. All right; we will cut the controversy short. I do not desire to undertake to "inform" the gentleman.

Mr. HEPBURN. I thought I knew all you were going to ask. I will be glad to give any information.

Mr. RAY of New York. I think it is rather late now. I object.

BRIDGE ACROSS CLINCH RIVER, KINGSTON, TENN.

Mr. GIBSON. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 11548) to authorize the Kingston Bridge and Terminal Company to construct a bridge across the Clinch River at Kingston, Tenn.

The bill was read.

The SPEAKER. Is there objection?

Mr. LENTZ. Mr. Speaker, I want to reserve the right to object, to say that I want to read two lines in answer to the statement of the gentleman from Iowa [Mr. LACEY] with reference to Mr. Steunenberg in Idaho, and then I think I will withdraw my objection.

The SPEAKER. Is there objection?

Mr. LENTZ began to read.

The SPEAKER. This is not in order.

Mr. LENTZ. If I have an opportunity to read these two lines I will prove that the gentleman from Iowa [Mr. LACEY] is badly mistaken in his statement about Governor Steunenberg.

The SPEAKER. Does the gentleman object? That is the question.

Mr. LENTZ. I want the two lines to go into the RECORD.

The SPEAKER. The Chair can not permit discussion on a question of objection. Is there objection to the unanimous con-

sent requested by the gentleman from Tennessee? [After a pause.] The Chair hears none.

The amendments recommended by the committee were read and agreed to.

The bill as amended was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

On motion of Mr. GIBSON, a motion to reconsider the last vote was laid on the table.

THOMAS LUTZ STITT.

Mr. STEELE. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (S. 4787) to authorize the appointment of Thomas Lutz Stitt as an officer in the Navy.

The bill was read.

The SPEAKER. Is there objection?

Mr. LENTZ. Mr. Speaker, unless you print the Cœur d'Alene testimony, I object.

The SPEAKER. It is out of order to make any statement—

Mr. LENTZ. I object.

The SPEAKER. The gentleman from Ohio objects.

LOBSTER HATCHERY IN THE STATE OF MAINE.

Mr. FITZGERALD of Massachusetts. Mr. Speaker, I ask unanimous consent for the present consideration of a bill which I send to the Clerk's desk.

The bill (H. R. 4910) to establish a lobster hatchery in the State of Maine was read.

The SPEAKER. Is there objection?

Mr. MCRAE. I object.

Mr. GROSVENOR. Unless the gentleman will agree—

The SPEAKER. Objection is made.

Mr. GROSVENOR. I did not object.

The SPEAKER. Objection is made by the gentleman from Arkansas.

WILLIAM ELKERT.

Mr. BARNEY. I ask unanimous consent for the present consideration of the bill (H. R. 4177) to correct the military record of William Elkert.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of War be, and he is hereby authorized and directed to set aside the findings of the court-martial in the case of William Elkert, late of Company H, Forty-fifth Wisconsin Infantry Volunteers, and to grant to said William Elkert an honorable discharge from said company and regiment: Provided, That no pay, bounty, or other emolument shall become due or payable by virtue of the passage of this act.

The SPEAKER. Is there objection?

Mr. LENTZ. I object until the Cœur d'Alene testimony is printed.

Mr. BARNEY. I should like to make an explanation to the gentleman from Ohio. This came from the gentleman's committee.

Mr. LENTZ. I reserve the right to object after hearing the explanation.

The SPEAKER. The gentleman from Ohio withdraws his objection, reserving the right to renew it.

Mr. BARNEY. This came from the Military Committee with a unanimous report. This is a case of a man who enlisted who could not understand the English language. In the city of Nashville he was placed as a guard over some prisoners and one or two of them escaped. Because he did not shoot them, not having understood his orders, he was court-martialed. Upon that court-martial the sergeant in charge took pains to say that he had always been a faithful soldier and that he believed that he did not understand the orders, and that perhaps if he had he would have done differently. And for that it seems to me an outrage was committed upon him by the court-martial sentencing him to six months' imprisonment. He served out that time, but unluckily his regiment was mustered out before his time expired.

Mr. LENTZ. Will you ask your side to print the Cœur d'Alene testimony?

Mr. BARNEY. I should not object to it; but it does not belong on this bill, of course.

The SPEAKER. This matter will be suspended a moment to receive a message from the Senate.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. BENNETT, its Secretary, announced that the Senate had passed the following resolution:

Resolved by the House of Representatives (the Senate concurring), That the President of the Senate and the Speaker of the House of Representatives be authorized to close the present session by adjourning their respective Houses on Wednesday, the 6th day of June, at 3 o'clock p. m.

With the following amendments:

In line 6 strike out "Wednesday, the 6th" and insert "Thursday, the 7th." Also, in line 6 strike out "3 o'clock" and insert "5 o'clock."

The message also announced that the Senate had passed without amendment bill and joint resolution of the following titles:

H. J. Res. 201. Joint resolution donating a condemned cannon to the Commandery in Chief of the Sons of Veterans, United States of America; and

H. R. 3799. An act for the relief of Stanley Snodgrass, of Jefferson County, Miss.

The message also announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 351) granting an increase of pension to Samuel S. White.

FINAL ADJOURNMENT.

Mr. PAYNE. Mr. Speaker, I call up the concurrent resolution.

The SPEAKER. The Clerk will report the concurrent resolution.

Mr. BARNEY. Can not my bill have consideration? There is no objection.

The SPEAKER. This does not shut your bill out.

The Clerk read as follows:

Resolved by the House of Representatives (the Senate concurring), That the President of the Senate and the Speaker of the House of Representatives be authorized to close the present session by adjourning their respective Houses on Wednesday, 6th day of June, at 3 o'clock p. m.

The amendments of the Senate were read, as follows:

In line 6 strike out "Wednesday, the 6th" and insert "Thursday, the 7th." Also, in line 6, strike out "3 o'clock" and insert "5 o'clock."

The SPEAKER. The question is on agreeing to the amendments of the Senate.

Mr. SULZER. Mr. Speaker—

Mr. PAYNE. Mr. Speaker, I yield to the gentleman from New York [Mr. SULZER].

Mr. SULZER. Mr. Speaker, just a few words. In my judgment, this resolution should not be agreed to, and this House should not adjourn until the Senate passes the anti-trust bill sent over there the other day. The Democratic party is opposed to trusts, and its representatives are willing to stay here until the anti-trust bill is passed. If the Republican party is opposed to trusts, it will not adjourn Congress until that bill is passed.

Mr. LENTZ. And until they print the Coeur d'Alene testimony.

Mr. SULZER. Yes; and pass the bill abolishing government by injunction, the eight-hour law, the election of Senators by the people, and several other important bills. I trust the Democrats here will vote against adjournment. Let us show by the RECORD how insincere the Republican party is on the trust question. The vote will demonstrate it.

The SPEAKER. The question is on agreeing to the Senate amendments.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. SULZER. Division, Mr. Speaker.

The House divided; and there were—ayes 99, nays 55.

Mr. SULZER. The yeas and nays, Mr. Speaker. [Cries of "Too late!"]

The question was taken on ordering the yeas and nays.

The SPEAKER. Thirty-five gentlemen have arisen; a sufficient number—

Mr. LACEY. The other side.

The SPEAKER (after counting). Eighty-four gentlemen have risen; 84 ayes, 84 nays; the yeas and nays are ordered.

The question was taken; and there were—yeas 113, nays 75, answered "present" 20, not voting 143; as follows:

YEAS—113.

Aldrich,	Dayton,	Hopkins,	Pearre,
Alexander,	Dick,	Hull,	Ray,
Bailey, Kans.	Dolliver,	Jack,	Reeder,
Baker,	Driscoll,	Jones, Wash.	Reeves,
Bingham,	Eddy,	Kahn,	Rodenberg,
Boreing,	Esch,	Knox,	Russell,
Brick,	Paris,	Lacey,	Shattuc,
Bromwell,	Fletcher,	Landis,	Spalding,
Brosius,	Foss,	Lane,	Stevens, Minn.
Brown,	Fowler,	Littauer,	Stewart, N. J.
Brownlow,	Gardner, Mich.	Long,	Stewart, N. Y.
Burke, S. Dak.	Gardner, N. J.	Loud,	Stewart, Wis.
Burkett,	Gibson,	Lybrand,	Sullivan,
Burleigh,	Gill,	McCall,	Tawney,
Burton,	Gillett, Mass.	Marsh,	Thomas, Iowa
Butler,	Graff,	Miller,	Thropp,
Calderhead,	Greene, Mass.	Minor,	Tompkins,
Cannon,	Grosvenor,	Mondell,	Van Voorhis,
Clarke, N. H.	Grow,	Moody, Mass.	Vreeland,
Connell,	Hall,	Moody, Oreg.	Wachter,
Cooper, Wis.	Hamilton,	Mudd,	Waterson,
Cousins,	Haugen,	Needham,	Weaver,
Cromer,	Hawley,	Olmsted,	Weymouth,
Crump,	Hedge,	Otjen,	White,
Curtis,	Hemenway,	Overstreet,	Wise.
Cushman,	Hepburn,	Packer, Pa.	
Dahle, Wis.	Hill,	Parker, N. J.	
Dalzell,	Hitt,	Payne,	
Davidson,	Hoffecker,	Pearce, Mo.	

NAYS—75.

Allen, Miss.	Carmack,	Davey,	Fleming,
Ball,	Clark, Mo.	Davis,	Gaines,
Bankhead,	Clayton, Ala.	De Armond,	Gaston,
Bell,	Clayton, N. Y.	De Graffenreid,	Glynn,
Berry,	Cochran, Mo.	De Vries,	Gordon,
Brantley,	Cooper, Tex.	Finley,	Green, Pa.
Brenzeale,	Cox,	Fitzgerald, Mass.	Hay,
Burleson,	Davenport, S. W.	Fitzgerald, N. Y.	Henry, Miss.

Henry, Tex.	Meyer, La.	Ryan, N. Y.	Swanson,
Kleberg,	Moon,	Ryan, Pa.	Taylor, Ala.
Klutz,	Neville,	Salmon,	Terry,
Lanham,	Newlands,	Shackelford,	Thomas, N. C.
Lentz,	Otey,	Shafrroth,	Underwood,
Livingston,	Ransdell,	Sheppard,	Williams, J. R.
McClellan,	Rheo, Va.	Small,	Williams, W. E.
McLain,	Richardson,	Smith, Ky.	Williams, Miss.
McRae,	Ridgely,	Snodgrass,	Zenor,
Meekison,	Rucker,	Stephens, Tex.	Ziegler.
	Ruppert,	Sulzer,	

ANSWERED "PRESENT"—20.

Bartlett,	Dinsmore,	Metcalf,	Stallings,
Benton,	Henry, Conn.	Morris,	Tate,
Bishop,	Jett,	Naphen,	Wanger,
Boutell, Ill.	King,	Riordan,	Wright,
Capron,	Mercer,	Southard,	Young.

NOT VOTING—143.

Acheson,	Davenport, S. A.	Lewis,	Robinson, Ind.
Adams,	Denny,	Linney,	Robinson, Nebr.
Adamson,	Dougherty,	Little,	Scudder,
Allen, Ky.	Dovenier,	Littlefield,	Shelden,
Allen, Me.	Driggs,	Lloyd,	Sherman,
Atwater,	Elliott,	Lorimer,	Showalter,
Babcock,	Emerson,	Loudenslager,	Sibley,
Bailey, Tex.	Fitzpatrick,	Lovering,	Sims,
Barber,	Fordney,	McLeary,	Slayden,
Barham,	Foster,	McCulloch,	Smith, III.
Barney,	Fox,	McDowell,	Smith, H. C.
Bartholdt,	Freer,	Maddox,	Smith, Samuel W.
Bellamy,	Gamble,	Mahon,	Smith, Wm. Alden
Boutelle, Me.	Gayle,	Mann,	Sparkman,
Bowersock,	Gilbert,	May,	Sperry,
Bradley,	Gillet, N. Y.	Mesick,	Spight,
Brenner,	Graham,	Miers, Ind.	Sprague,
Brewer,	Griffith,	Morgan,	Stark,
Broussard,	Griggs,	Muller,	Steele,
Brundidge,	Grot,	Noonan,	Stokes,
Bull,	Heatwole,	Norton, Ohio	Sutherland,
Burke, Tex.	Howard,	Norton, S. C.	Talbert,
Burnett,	Howell,	O'Grady,	Taylor, Ohio
Caldwell,	Jenkins,	Pearson,	Thayer,
Campbell,	Johnston,	Pierce, Tenn.	Tongue,
Catchings,	Jones, Va.	Phillips,	Turner,
Chandler,	Joy,	Polk,	Underhill,
Cochrane, N. Y.	Kerr,	Powers,	Vandiver,
Cooney,	Ketcham,	Prince,	Wadsworth,
Corliss,	Kitchin,	Pugh,	Warner,
Cowherd,	Lamb,	Quarles,	Weeks,
Crowley,	Lassiter,	Rhea, Ky.	Wheeler, Ky.
Crumpler,	Latimer,	Rixey,	Wilson, Idaho
Cummings,	Lawrence,	Robb,	Wilson, N. Y.
Cusack,	Lester,	Roberts,	Wilson, S. C.
Daly, N. J.	Levy,	Robertson, La.	

So the amendments to the concurrent resolution were agreed to. The following pairs were announced:

On this vote:

Mr. ALLEN of Maine with Mr. BURNETT.

Mr. YOUNG with Mr. BENTON.

Mr. GRAHAM with Mr. POLK.

For this day:

Mr. WRIGHT with Mr. HALL.

Mr. LAWRENCE with Mr. DOUGHERTY.

Mr. COCHRANE of New York with Mr. ELLIOTT.

Until further notice:

Mr. JOY with Mr. DINSMORE.

Mr. BOUTELL of Illinois with Mr. GRIGGS.

Mr. BARTLETT. Mr. Speaker, I voted "no," but I am paired with the gentleman from Ohio, Mr. TAYLER. I desire to withdraw my vote and be marked "present."

Mr. BARTLETT's name was again called; and he answered "present," as above recorded.

Mr. DINSMORE. Mr. Speaker, I am paired with the gentleman from Missouri, Mr. JOY. I desire to withdraw my vote of "no" and be marked "present."

Mr. DINSMORE's name was again called; and he answered "present," as above recorded.

Mr. KING. Mr. Speaker, I desire to ask if Mr. BABCOCK has voted?

The SPEAKER. He has not.

Mr. KING. I desire to withdraw my vote of "no" and be marked "present."

Mr. KING's name was again called; and he answered "present," as above recorded.

Mr. JETT. I desire to inquire whether my colleague, Mr. MANN, has voted?

The SPEAKER. He has not.

Mr. JETT. I desire to withdraw my vote of "no," and be marked "present."

Mr. JETT's name was again called, and he answered "present," as above recorded.

Mr. BOUTELL of Illinois. Mr. Speaker, I made a pair after 3 o'clock with the gentleman from Georgia, Mr. GRIGGS. I voted on the first roll call, and I desire to change my vote and be marked "present."

The name of Mr. BOUTELL of Illinois was again called, and he answered "present," as above recorded.

Mr. HENRY C. SMITH. Mr. Speaker, I was absent at the call

of the roll, and have just returned. I would like to be marked "present."

The SPEAKER. That can not be done now.

The result was then announced as above recorded.

Mr. PAYNE. It is suggested to me, Mr. Speaker, that the resolution should be adopted.

The SPEAKER. The resolution was adopted by agreeing to the amendments. It was a House resolution, and the adoption of the amendments disposed of the resolution.

Mr. SULZER. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. SULZER. I would like to ask if there was a quorum present?

The SPEAKER. There was a quorum present.

Mr. PAYNE. Mr. Speaker, I offer the following resolution.

The Clerk read as follows:

Resolved, That a committee of three members be appointed by the Chair to join a similar committee from the Senate to wait upon the President of the United States and inform him that the two Houses are ready to adjourn unless the President has some other communication to make to them.

The resolution was agreed to.

The Chair appointed as a committee on the part of the House Mr. PAYNE, of New York; Mr. BINGHAM, of Pennsylvania, and Mr. RICHARDSON, of Tennessee.

Mr. LENTZ. Mr. Speaker, a parliamentary inquiry. Inasmuch as the House has fixed upon a resolution to adjourn, is it not in order for me to move to suspend the rules and move that the testimony in the Cœur d'Alene labor troubles be printed?

The SPEAKER. That is not a parliamentary inquiry.

Mr. LENTZ. I move to suspend the rules and print the testimony in the Cœur d'Alene labor trouble.

The SPEAKER. The Chair refuses to recognize the gentleman for that purpose, and the Chair under the law has that discretion.

WILLIAM ELKERT.

Mr. BARNEY. Mr. Speaker, I now call up the bill H. R. 4177, and ask unanimous consent for its present consideration.

The SPEAKER. The bill has been once read, but the Clerk will read it again for the information of the House.

The Clerk again read the bill at length.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The bill was ordered to be engrossed and read a third time; and being engrossed, it was read the third time, and passed.

On motion of Mr. BARNEY, a motion to reconsider the last vote was laid on the table.

CIVIL-SERVICE APPOINTMENTS FOR HONORABLY DISCHARGED SOLDIERS, ETC.

Mr. BROMWELL. I ask unanimous consent for the present consideration of the bill which I send to the desk.

The Clerk read as follows:

A bill (H. R. 5779) giving preference to honorably discharged soldiers, sailors, and marines in all appointments in the civil service of the United States.

Be it enacted, etc. That in every Executive Department of the United States Government and in each and every branch thereof, whether reached by competitive or noncompetitive examinations under the civil-service laws (in which case the rules and regulations affecting the same shall so provide), honorably discharged soldiers, sailors, or marines who served as such between April 12, 1861, and August 20, 1865, shall be certified and preferred for appointment to and retention in employment in the public service and for promotion therein. Age, loss of limb, or other physical impairment which does not in fact incapacitate shall not disqualify them, provided they possess the business capacity necessary to discharge the duties of the position involved; and persons thus preferred shall not be removed from their positions except for good cause, upon charges, and after a hearing.

Sec. 2. That all laws or parts of laws inconsistent with the provisions of this act are hereby repealed.

The amendment reported by the Committee on Reform in the Civil Service was read, as follows:

After "1865," in line 10, insert "and first after the aforementioned veterans of the civil war, those honorably discharged soldiers, sailors, and marines who served in the recent war with Spain or in the Philippine Islands, they being otherwise qualified."

The SPEAKER. Is there objection to the present consideration of this bill?

Mr. LENTZ. I do not rise to object; I want an answer to one question. Will the gentleman from Ohio [Mr. BROMWELL] tell me whether this bill enlarges the provisions already contained in our statutes on this subject?

Mr. BROMWELL. It does to this extent: Under the present law the veterans of the civil war are given a preference in these appointments provided they are incapacitated by wounds or disease. This extends the law to all honorably discharged soldiers; and then an amendment has been reported by the committee providing that after the veterans of the civil war, preference shall be given in these civil-service appointments to "honorably discharged soldiers, sailors, and marines who served in the recent war with Spain or in the Philippine Islands."

The SPEAKER. Is there objection?

Mr. LENTZ. I have no objection.

Mr. WILLIAMS of Mississippi. I object.

Mr. CLAYTON of New York. I hope the gentleman from Mississippi will withdraw his objection.

Mr. BROMWELL. I move that the rules be suspended in order that this bill may be considered and put on its passage with the amendment of the committee.

Mr. SULZER. Will the gentleman permit a question?

Mr. BROMWELL. Certainly.

The SPEAKER. Let the Chair state the question. The gentleman from Ohio moves to suspend the rules and pass the bill which has just been read with the amendment indicated.

Mr. SULZER. Mr. Speaker, I ask the gentleman from Ohio whether this is the House bill?

Mr. BROMWELL. This, Mr. Speaker, is the so-called Grand Army bill, which was introduced under the auspices of the Grand Encampment of the Grand Army of the Republic. It is a House bill.

Mr. SULZER. Mr. Speaker, this is a good bill. I am heartily in favor of its passage. It should have been reported long ago. I want to ask the gentleman from Ohio why it has not been reported and passed before, so that the Senate could act on it? Why is it brought up to be passed in the last hour of the session? Is it a bluff (like the anti-trust bill) to fool the old soldiers? At all events the bill should pass, and I hope there will be no objection to it. It should have passed this House early in the session.

Mr. BROMWELL. I will answer the gentleman by saying that this bill was considered by the Committee on Civil Service Reform only last Monday. It was reported to the House; but the business of the House has been such that it was impossible to call it up under suspension of the rules; and, as the gentleman well knows, it would have been impossible probably to obtain unanimous consent, as has been evidenced here to-day by the fact that it was objected to by the gentleman from Mississippi. Now, then, we have only a few moments left in which to pass the bill.

The SPEAKER. This debate is all out of order.

Mr. SULZER. The only complaint that I have to make is that you did not bring up and pass the bill before.

The SPEAKER. The question is on the motion to suspend the rules.

Mr. WILLIAMS of Mississippi. I demand a second.

Mr. BROMWELL. May I ask unanimous consent that a second be considered as ordered?

Mr. WILLIAMS of Mississippi. I object.

The Chair appointed as tellers Mr. BROMWELL and Mr. WILLIAMS of Mississippi.

The House divided: and the tellers reported—ayes 98, noes 9.

The SPEAKER. The motion is seconded.

Mr. ALLEN of Mississippi. No quorum present.

Several MEMBERS (on the Democratic side). Oh, no; do not make that point.

The SPEAKER. The gentleman from Mississippi [Mr. ALLEN] makes the point that no quorum is present.

Mr. MERCER. I make the point that that is dilatory.

The SPEAKER. The Chair will count the House.

[One hundred and sixty-three members were counted as present.]

Mr. BROMWELL. Before the final announcement of this count, I wish to say this: In view of the fact that there are but thirty-five minutes left before the final adjournment and that forty minutes for debate can be claimed under the rule, and in view of the dilatory tactics of some gentlemen on the opposite side of the House, it is evident that it will be impossible to get a roll call on this bill, which will probably be demanded. [Cries of "Regular order!"] I therefore ask permission to withdraw the bill from the consideration of the House.

The SPEAKER. The gentleman withdraws the bill.

Mr. FITZGERALD of Massachusetts. Just one moment, Mr. Speaker.

The SPEAKER. For what purpose does the gentleman rise?

Mr. FITZGERALD of Massachusetts. Mr. Speaker, I object to the withdrawal of this bill by the gentleman from Ohio. Inasmuch as he has chosen to inject politics into this matter, I desire to say, as a member of the committee reporting this bill, that this measure was supported by Mr. GLYNN and myself in the committee. I think it is a proper bill, and we should make every effort to have it passed.

Mr. DALZELL. I move that the House take a recess until 10 minutes before 5 o'clock.

The SPEAKER. The Chair is not authorized to submit that motion in the absence of a quorum.

Mr. DALZELL. There has been no announcement of no quorum.

The SPEAKER. The Chair has announced the number present—not enough to make a quorum. The Chair is not advised of any new arrivals in the Hall.

Mr. SULZER. Regular order.

The SPEAKER. This is the regular order.

Other members having entered the Hall, the Speaker announced 178, a quorum, present.

CHARLES E. HOFFMANN.

Mr. PEARCE of Missouri. I ask unanimous consent for the present consideration of the bill (H. R. 10423) granting an honorable discharge to Charles E. Hoffmann, late first lieutenant Company H, Sixtieth Regiment of United States Colored Infantry.

The bill was read.

The SPEAKER. Is there objection?

Mr. LENTZ. Mr. Speaker, until the Cœur d'Alene testimony is printed, I object.

Mr. DALZELL. I move that the House take a recess until 10 minutes to 5 o'clock.

The motion was agreed to.

Accordingly (at 4 o'clock and 30 minutes p. m.) the House took a recess until 4 o'clock and 50 minutes p. m.

The recess having expired, the House, at 4.50 p. m., resumed its session.

ENROLLED BILLS SIGNED.

Mr. BAKER, from the Committee on Enrolled bills, reported that they had examined and found truly enrolled bills of the following titles; when the Speaker signed the same:

H. R. 4456. An act granting a pension to Alice A. Hartz;

H. R. 4571. An act granting an increase of pension to Helen Mauck;

H. R. 4577. An act granting an increase of pension to John D. Craig;

H. R. 4627. An act granting a pension to Rachel M. Harvey;

H. R. 5439. An act granting an increase of pension to Thomas B. Holland;

H. R. 4991. An act granting a pension to Maria V. Sperry;

H. R. 4992. An act granting an increase of pension to Susan Buntin;

H. R. 10815. An act granting an increase of pension to Lucius K. Smalling;

H. R. 5555. An act granting a pension to Virginia Hull;

H. R. 8114. An act granting a pension to Annie E. Bell;

H. R. 8829. An act granting an increase of pension to John P. Pepper;

H. R. 156. An act granting a pension to Lena E. Patterson;

H. R. 10235. An act granting an increase of pension to George Friend;

H. R. 10082. An act granting an increase of pension to Lewis Oliver;

H. R. 8670. An act granting an increase of pension to Stephen J. Watts;

H. R. 7159. An act granting an increase of pension to Wesley C. Sawyer;

H. R. 6829. An act granting an increase of pension to John H. K. Crosby;

H. R. 8217. An act granting a pension to Josephine B. Wood;

H. R. 4554. An act granting an increase of pension to Margaret M. Badger;

H. R. 1056. An act granting an increase of pension to Sarah A. Robinson;

H. R. 8765. An act for the relief of John C. Smith;

H. R. 6151. An act granting a pension to Zylpha J. Kelly;

H. R. 3252. An act granting an increase of pension to Sarah Somerville Lion;

H. R. 3068. An act granting increase of pension to Evan M. Woodward;

H. R. 4650. An act granting a pension to Sarah Parrish;

H. R. 4455. An act granting a pension to Louise Weidmer;

H. R. 10071. An act granting an increase of pension to Mary W. Clark;

H. R. 4998. An act granting a pension to Frank A. W. Shaw;

H. R. 4942. An act granting a pension to Lida A. Stockwell;

H. R. 10742. An act granting a pension to Wilburn W. Testerman;

H. R. 7158. An act granting an increase of pension to Levi S. Parrot;

H. R. 5330. An act granting an increase of pension to Uri S. Keith;

H. J. Res. 201. Joint resolution donating a condemned cannon to the Commandery in Chief of the Sons of Veterans, United States of America;

H. R. 5894. An act granting an increase of pension to Nathaniel Townsend;

H. R. 9898. An act granting an increase of pension to Edward J. Trussler;

H. R. 8107. An act granting an increase of pension to Thomas C. Mills;

H. R. 1230. An act granting a pension to Haunah Kennedy;

H. R. 737. An act granting a pension to Cynthia A. Middleton;

H. R. 2694. An act granting a pension to Maggie D. Chapman;

H. R. 5755. An act for the relief of William Wolfe;

H. R. 5673. An act granting an increase of pension to Ellen A. Spalding;

H. R. 9093. An act granting an increase of pension to Joseph L. Thomas;

H. R. 9481. An act granting an increase of pension to James Anderson;

H. R. 9207. An act granting a pension to John F. Kelly;

H. R. 10573. An act granting an increase of pension to Ida J. Peixotto;

H. R. 8254. An act granting an increase of pension to Marie L. Apgar;

H. R. 9701. An act granting a pension to Jonah Duncan;

H. R. 4879. An act granting an increase of pension to D. Cyrus Holdridge;

H. R. 11010. An act granting an increase of pension to James H. Eastman;

H. R. 8689. An act granting an increase of pension to Isaac B. Hoyt;

H. R. 8141. An act granting a pension to Sarah J. Pddycoart;

H. R. 2392. An act granting a pension to Daniel Davis;

H. R. 5120. An act granting an increase of pension to John S. Coggeshall;

H. R. 5444. An act granting an increase of pension to Albert W. Brush;

H. R. 11599. An act to amend an act to incorporate the Supreme Lodge of the Knights of Pythias;

H. R. 4942. An act granting a pension to Lydia A. Stockwell;

H. R. 5647. An act granting a pension to Amanda Hurd;

H. R. 2398. An act granting a pension to Andrew Jackson;

H. R. 1965. An act granting an increase of pension to John Lonergan;

H. R. 10616. An act granting an increase of pension to Jonathan Meade;

H. R. 3767. An act granting an increase of pension to John W. Hartley;

H. R. 4241. An act granting an increase of pension to Melissa Rush;

H. R. 3526. An act granting a pension to James M. Ellett;

H. R. 9749. An act granting a pension to Melissa A. Trulock;

H. R. 3799. An act for the relief of Stanley Snodgrass, of Jefferson County, Miss.; and

H. R. 10450. An act making appropriations for the naval service for the fiscal year ending June 30, 1901, and for other purposes.

The SPEAKER announced his signature to enrolled bills and joint resolution of the following titles:

S. 4756. An act directing the issue of a duplicate of lost check drawn by James B. Quinn, major, Corps of Engineers, United States Army, in favor of Henry L. Breneman;

S. 3616. An act to authorize the payment of traveling allowance to enlisted men of the regular and volunteer forces when discharged by order of the Secretary of War and stated by him as entitled to travel pay;

S. R. 130. Joint resolution making an emergency appropriation for the repair of certain roads and bridges in the District of Columbia; and

S. 351. An act granting an increase of pension to Samuel S. White.

MESSAGE FROM THE PRESIDENT.

A message from the President, by Mr. PRUDEN, one of his secretaries, announced that the President had approved and signed bills of the following titles:

On June 6, 1900:

H. R. 7663. An act to establish a board of charities for the District of Columbia;

H. R. 11212. An act making appropriations for sundry civil expenses of the Government for the year ending June 30, 1901, and for other purposes;

H. R. 11738. An act for the relief of William L. Orr;

H. R. 5763. An act to extend the coal-land laws to the district of Alaska;

H. R. 4915. An act to amend the seventh section of the act entitled "An act to establish circuit courts of appeals, and to define and regulate in certain cases the jurisdiction of the courts of the United States, and for other purposes," approved March 3, 1891;

H. R. 437. An act granting a pension to Mary E. Reynolds;

H. R. 8686. An act granting a pension to James A. Tulloss;

H. R. 9237. An act granting an increase of pension to Robert J. Carr;

H. R. 9308. An act granting an increase of pension to Joseph M. Shaw;

H. R. 5355. An act for the relief of John D. Hale, of Tilford, Meade County, S. Dak.;

H. R. 7483. An act for the relief of James T. Ellis, of Rankin County, Miss.; and

H. R. 504. An act granting an increase of pension to William T. Lowry.

On June 7, 1900:

H. R. 1965. An act granting an increase of pension to John Lonergan;

H. R. 5120. An act granting an increase of pension to John S. Coggeshall;

H. R. 4241. An act granting an increase of pension to Melissa Rush;

H. R. 3767. An act granting an increase of pension to John W. Hartley;

H. R. 10082. An act granting an increase of pension to Lewis Oliver;

H. R. 10235. An act granting an increase of pension to George Friend;

H. R. 8829. An act granting an increase of pension to John P. Pepper;

H. R. 10071. An act granting an increase of pension to Mary W. Clark;

H. R. 4879. An act granting an increase of pension to D. Cyrus Holdridge;

H. R. 5444. An act granting an increase of pension to Albert W. Brush;

H. R. 5673. An act granting an increase of pension to Ellen A. Spalding;

H. R. 8254. An act granting an increase of pension to Marie L. Apgar;

H. R. 8689. An act granting an increase of pension to Isaac B. Hoyt;

H. R. 9093. An act granting an increase of pension to Joseph L. Thomas;

H. R. 10610. An act granting an increase of pension to Jonathan Mead;

H. R. 10873. An act granting an increase of pension to Ida J. Peixotto;

H. R. 9481. An act granting an increase of pension to James Anderson;

H. R. 11010. An act granting an increase of pension to James H. Eastman;

H. R. 4992. An act granting an increase of pension to Susan Buntin;

H. R. 4571. An act granting an increase of pension to Helen Mauck;

H. R. 4577. An act granting an increase of pension to John D. Craig;

H. R. 8157. An act granting an increase of pension to Thomas C. Mills;

H. R. 7158. An act granting an increase of pension to Levi S. Parrott;

H. R. 156. An act granting a pension to Lena E. Patterson;

H. R. 737. An act granting a pension to Cynthia A. Middleton;

H. R. 1230. An act granting a pension to Hannah Kennedy;

H. R. 2392. An act granting a pension to Daniel Davis;

H. R. 2398. An act granting a pension to Andrew Jackson;

H. R. 3526. An act granting a pension to James M. Ellett;

H. R. 4455. An act granting a pension to Louisa Weidner;

H. R. 4456. An act granting a pension to Alice A. Hartz;

H. R. 4942. An act granting a pension to Lydia A. Stockwell;

H. R. 5647. An act granting a pension to Amanda Hurd;

H. R. 8141. An act granting a pension to Sarah J. Peddycoart;

H. R. 9207. An act granting a pension to John F. Kelly;

H. R. 9701. An act granting a pension to Jonah Duncan;

H. R. 9749. An act granting a pension to Melissa A. Trulock;

H. R. 10742. An act granting a pension to Wilburn W. Testerman;

H. R. 2694. An act granting a pension to Maggie D. Chapman;

H. R. 4627. An act granting a pension to Rachel M. Harvey;

H. R. 4650. An act granting a pension to Sarah Parrish;

H. R. 4898. An act granting a pension to Frank A. W. Shaw;

H. R. 4991. An act granting a pension to Maria V. Sperry;

H. R. 5555. An act granting a pension to Virginia Hull;

H. R. 6151. An act granting a pension to Zylpha J. Kelly;

H. R. 8114. An act granting a pension to Annie E. Bell;

H. R. 8217. An act granting a pension to Josephine B. Wood;

H. R. 3068. An act granting an increase of pension to Evan M. Woodward;

H. R. 3252. An act granting an increase of pension to Sarah Somerville Lion;

H. R. 4999. An act granting an increase of pension to William H. McLyman;

H. R. 5330. An act granting an increase of pension to Uri S. Heath;

H. R. 5439. An act granting an increase of pension to Thomas B. Holland;

H. R. 5894. An act granting an increase of pension to Nathaniel Townsend;

H. R. 6829. An act granting an increase of pension to John K. Crosby;

H. R. 7159. An act granting an increase of pension to Wesley C. Sawyer;

H. R. 8670. An act granting an increase of pension to Stephen J. Watts;

H. R. 9898. An act granting an increase of pension to Edward J. Trussler;

H. R. 10815. An act granting a pension to Lucius K. Smalling;

H. R. 11599. An act to amend an act to incorporate the Supreme Lodge of the Knights of Pythias;

H. R. 8765. An act for the relief of John C. Smith;

H. R. 5755. An act for the relief of William Wolfe;

H. R. 10856. An act granting an increase of pension to Sarah A. Robinson;

H. R. 10450. An act making appropriations for the naval service for the fiscal year ending June 30, 1901, and for other purposes;

H. R. 3799. An act for the relief of Stanley Snodgrass, of Jefferson County, Miss.;

H. R. 4554. An act granting an increase of pension to Margaret M. Badger; and

H. J. Res. 201. Joint resolution donating a condemned cannon to the commandery in chief of the Sons of Veterans, United States of America.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. GILFREY, one of its clerks, announced that the Senate had passed the following resolution:

Resolved, That a committee of two Senators be appointed by the Chair, to join a similar committee appointed by the House of Representatives, to wait upon the President of the United States and inform him that the two Houses, having completed the business of the present session, are ready to adjourn unless the President has some other communication to make to them.

The PRESIDENT pro tempore appointed as said committee Mr. ALLISON and Mr. COCKRELL.

REPORT OF COMMITTEE TO WAIT ON THE PRESIDENT.

The committee on the part of the House to wait on the President and inform him that it had completed its work appeared at the bar of the House.

Mr. PAYNE. Mr. Speaker, the committee appointed by the House to join a like committee on the part of the Senate to wait on the President of the United States and inform him that the two Houses were about to adjourn, and to ask him if he had any further communications to make to the House or to Congress, report that they have performed that duty, and the President says that he has no further communication to make.

CONCLUDING REMARKS OF THE SPEAKER.

The SPEAKER. Gentlemen of the House of Representatives, we will in a few moments complete our session's work. It has been a session of earnest, patriotic effort, of unremitting toil. This House has demonstrated that men may meet on great fields of contest and part as friends. This body has considered many great, novel, national questions. That fervor which enters into debate on the eve of a great national conflict has been present, but guided by intelligence and manly courage.

At the opening of this session I took this chair with that fear and apprehension which every conscientious man should feel. I appealed to you for support and kindly aid. Not for one moment have you forgotten that appeal; but your sustaining influence has made it possible to consider these mighty problems of the hour and never allow the legislator and the gentleman to sink below the high level of manhood.

In parting, I wish you from my heart a pleasant vacation, and that you may all return to the duties of the next session refreshed in body and in mind.

And now, in pursuance of the concurrent resolution adopted by the two Houses of Congress, I declare this House adjourned without day.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 11985) granting an increase of pension to Henry C. Brooks, reported the same with amendment, accompanied by a report (No. 2005); which said bill and report were referred to the Private Calendar.

Mr. CALDERHEAD, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 5336) granting an increase of pension to William S. Swaney, reported the same with amendment, accompanied by a report (No. 2006); which said bill and report were referred to the Private Calendar.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Invalid Pensions was discharged from the consideration of the bill (H. R. 7884) granting a pension to Mrs. Anna F. Christiern; and the same was referred to the Committee on Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS INTRODUCED.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. KLEBERG: A bill (H. R. 12208) making appropriation for locating international dams across the Rio Grande, and for other purposes—to the Committee on Irrigation of Arid Lands.

By Mr. GAINES: A bill (H. R. 12209) prohibiting members of Congress from being employed in certain Federal business—to the Committee on the Judiciary.

By Mr. THOMAS of North Carolina: A bill (H. R. 12210) authorizing and directing the Postmaster-General to make contracts for carrying the mail upon star routes with local bidders only—to the Committee on the Post-Office and Post-Roads.

By Mr. CLAYTON of New York: A memorial from the assembly of the State of New York, favoring H. R. 876—to the Committee on Military Affairs.

PRIVATE BILLS AND RESOLUTIONS INTRODUCED.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. COOPER of Texas: A bill (H. R. 12211) for the relief of the legal representatives of Mrs. Anna H. Gunderman, deceased—to the Committee on War Claims.

By Mr. CROMER: A bill (H. R. 12212) to increase the pension of John Quincy Adams—to the Committee on Invalid Pensions.

By Mr. CURTIS: A bill (H. R. 12213) granting an increase of pension to Benjamin F. Missemmer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12214) for the relief of James L. Gray—to the Committee on War Claims.

By Mr. MIERS of Indiana: A bill (H. R. 12215) granting a pension to John Maldoon—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12216) correcting the military record of Frank C. Young—to the Committee on Military Affairs.

Also, a bill (H. R. 12217) granting a pension to Ellis Hickam—to the Committee on Invalid Pensions.

By Mr. SULLOWAY: A bill (H. R. 12218) granting an increase of pension to Heber C. Griffin—to the Committee on Invalid Pensions.

By Mr. BURNETT: A bill (H. R. 12219) granting a pension to Mrs. Nannie C. Trammell—to the Committee on Invalid Pensions.

By Mr. RYAN of New York: A bill (H. R. 12220) to place name of Louis Leith upon the pension roll—to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. BINGHAM (by request): Resolutions in reference to an amendment of the tariff laws—to the Committee on Ways and Means.

By Mr. CROMER: Petition of James F. Knowland and others, of Anderson, Ind., for change in pension law—to the Committee on Invalid Pensions.

Also, petition of the Appalachian National Park Association, urging the establishment of a national park in the southern Appalachian region—to the Committee on Public Lands.

Also, petition of C. M. Carter and others, in favor of the organi-

zation of industrial schools for the benefit of freedmen in the South—to the Committee on Education.

Also, petitions of E. P. Whinery, C. C. Dean, D. B. King, Kizer & Co., G. W. Drum, M. Waltman, A. A. Roberts, H. M. Aspy, P. M. Bly, Anderson Drug Company, and other druggists in the State of Indiana, for the repeal of the stamp tax on medicines, perfumery, and cosmetics—to the Committee on Ways and Means.

Also, petition of Bluffton Manufacturing Company and others, favoring the passage of House bill No. 887, for the promotion of exhibits in the Philadelphia museums—to the Committee on Interstate and Foreign Commerce.

Also, petition of Sister Louise, for an appropriation for Providence Hospital—to the Committee on Appropriations.

Also, petition of the American Society for the Prevention of Cruelty to Animals and others, in relation to Senate bill No. 560—to the Committee on the District of Columbia.

Also, petition of committee of the Grand Army of the Republic, favoring the passage of House bill No. 2967—to the Committee on Military Affairs.

Also, petition of the Indianapolis Journal and publishers of other newspapers, for the passage of House bill No. 5765, known as the Russell bill—to the Committee on Ways and Means.

Also, petition of C. J. Lawton and others, in favor of the establishment of a Soldiers' Home near Denver, Colo.,—to the Committee on Military Affairs.

Also, resolutions of the Indianapolis Board of Trade and others, in favor of House bill No. 10301—to the Committee on the Post-Office and Post-Roads.

Also, petition of A. J. Wedderburn and others, in favor of House bill No. 6246, known as Brosius pure-food bill—to the Committee on Interstate and Foreign Commerce.

Also, resolutions of the Trades League of Philadelphia, Pa., in favor of Senate amendments to House bill No. 8347, restoring the appropriations for the maintenance of the Hydrographic Office—to the Committee on Appropriations.

Also, petition of F. W. Rawlings and others, asking that war ships be built in Government navy-yards—to the Committee on Naval Affairs.

Also, petition of G. D. Shields and others, favoring the passage of House bill No. 6634—to the Committee on Interstate and Foreign Commerce.

Also, petition of Bishop John Hurst and others, for amendment to the Constitution in relation to polygamy—to the Committee on the Judiciary.

Also, petition of Muncie Public Library, of Muncie, Ind., and others, in favor of House bill No. 7513—to the Committee on the Post-Office and Post-Roads.

By Mr. FITZGERALD of Massachusetts: Petition of Thomas J. Deavitt, of Montpelier, Vt., in relation to certain official acts of Ethan Allen Hitchcock, Secretary of the Interior—to the Committee on the Judiciary.

By Mr. FOSS: Petition of Lake County Young People's Society of Christian Endeavor, of Lake County, Ill., to prohibit the sale of liquor in canteens and in all Government buildings and premises—to the Committee on Military Affairs.

By Mr. GROUT: Petition of J. C. Leonard and 16 other citizens of Pittsford, Vt., favoring the passage of the Bowersock bill—to the Committee on Military Affairs.

By Mr. LITTLEFIELD: Petition of Franklin Grange, Blaine Grange, and Manchester Grange, State of Maine, asking for the passage of House bill No. 9877, known as the Brosius pure-food bill—to the Committee on Agriculture.

By Mr. MIERS of Indiana: Papers to accompany House bill granting a pension to Ellis Hickam—to the Committee on Invalid Pensions.

Also, paper to accompany House bill for the relief of John Waldoon—to the Committee on Invalid Pensions.

By Mr. JAMES R. WILLIAMS: Petition of citizens of the State of Illinois, urging the passage of a service-pension bill—to the Committee on Invalid Pensions.